

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

79

THEODORE J. VISNER,
PLAINTIFF,

CASE NO. 19-cv-11232

V.

JUDGE: MATTHEW LEITMAN

TROY STEWART, ET AL.,
DEFENDANT(S),

FILED
JUL 31 2019
CLERK'S OFFICE
DETROIT

- ① PLAINTIFF'S RESPONSE TO DEFENDANT'S
"ORDER DIRECTING PLAINTIFF TO SHOW CAUSE IN WRITING
WHY HIS COMPLAINT (ECF#1) SHOULD NOT BE DISMISSED FOR
FAILING TO STATE A CLAIM UPON WHICH RELIEF MAY BE GRANTED"
- ② PLAINTIFF'S MOTION FOR COURT APPOINTED COUNSEL DUE
TO THE COMPLEXITY OF THIS CASE AND THE JOINDER ISSUES
AND COMPLEX CASE MANAGEMENT ISSUES BETWEEN CASES FOR POTENTIAL
JOINER OF CLAIMS, CASES; 19-11289, 19-11424, 19-11466, 19-11487, 19-11775, AND OTHERS
- ③ PLAINTIFF'S OBJECTION AND REBUTTAL TO THIS COURT'S ANALYSIS
OF PLAINTIFF'S COMPLAINT
- ④ PLAINTIFF'S MOTION FOR THIS COURT TO CONSIDER THIS ACTION
TO INCLUDE A PETITION FOR A WRIT OF HABEAS CORPUS
- ⑤ ATTACHED EXHIBIT A
- ⑥ MOTION TO ADD DEFENDANT BAY CO. UNDERSTUFF CHRIS MAUSER
- ⑦ ALTERNATIVELY,
IF THE COURT HAS TROUBLE UNDERSTANDING THE COMPLEXITY OF ANY ISSUES
HEREIN BECAUSE OF MY LACK OF EXPERIENCE IN PRESENTING ISSUES
TO THE COURT, A VIDEO HEARING BE HELD WITH ME IN PERSON.

~~POOR QUALITY ORIGINALS~~

ON JUNE 12, 2019 THIS DISTRICT COURT ORDERED THIS PLAINTIFF TO SHOW CAUSE WHY THIS COMPLAINT SHOULD NOT BE DISMISSED FOR FAILURE TO STATE A CLAIM FOR WHICH RELIEF MAY BE GRANTED.

IN A SHOWING OF CAUSE, THIS PLAINTIFF STATES AGAIN THAT CRIMINAL DEFENDANTS HAVE A CONSTITUTIONALLY SECURED RIGHT TO PRESENT A DEFENSE IN THEIR CRIMINAL PROSECUTIONS AS A CRITICAL AND REQUIRED COMPONENT PART OF OUR ADVERSARIAL SYSTEM OF JUSTICE. WHEN A CRIMINAL DEFENDANT'S RIGHT TO PRESENT HIS DEFENSE IS TAKEN AWAY - THE ADVERSARIAL PROCESS IS ITSELF, COMPLETELY DEFEATED AND BECOMES SOMETHING OTHER ALL TOGETHER.

ON PAGE 1, PARAGRAPH 2 OF THIS COURT'S ORDER, THIS COURT SAYS

"VISNER'S COMPLAINT - --- - CONCERNS VISNER'S STATE-COURT CRIMINAL PROCEEDINGS."

IS THIS COURT SUGGESTING THAT BEING IN JAIL AND THOSE ASSOCIATED CONDITIONS OF CONFINEMENT CONSTITUTE - STATE-COURT CRIMINAL PROCEEDINGS?

THE INTENT OF THIS PLAINTIFF'S INCARCERATION WAS TO SEPARATE HIM/ME FROM MY DEFENSE MATERIAL TO HINDER MY DEFENSE. TO MAKE THIS VIOLATION LOOK NOT SO OBVIOUS, THE 18TH CIRCUIT COURT GRANTED ME ACCESS TO MY DEFENSE MATERIAL IN THE ATTACHED EXHIBIT CONTAINING AN ORDER DATED SEPTEMBER 27, 2010 - ALLOWING MY ACCESS TO MY DEFENSE MATERIAL IN THE JAIL AND THIS ORDER WAS DEFIED BY THE DEFENDANTS IN THIS ACTION PREVENTING ME FROM FURNISHING PROOFS TO MY JURY THAT WOULD HAVE LED TO MY ACQUITTAL.

FED DIST COURT CASE # 19-CV-11289 IS FOR THE POLICE AND PROSECUTION CONSPIRED PLAN AND EXECUTED THEFT OF THIS PLAINTIFF'S EXCULPATORY EVIDENCE FROM HIS HOME AND THIS ACTION IS AGAINST THE COUNTY AND ITS JAILORS FOR BLOCKING THE INTRODUCTION OF THE SAME EVIDENCE (EXCULPATORY) IN DIGITAL FORMAT TO THE SAME JURY AGAIN WITH THE INTENT TO PREVENT MY DEFENSE AND ENSURE MY CONVICTION.

THESE SAME DEFENDANTS AT THE SAME TIME SUSPENDED THE CO. JAIL GRIEVANCE SYSTEM/PROCESS ALL TOGETHER MAKING THIS FEDERAL COURT THE ONLY MEANS FOR REDRESS WHILE AT THE SAME TIME MAKING ACCESS IMPOSSIBLE.

THIS ACTION SHOULD HAVE BEEN FILED AT A TIME WHEN IT WAS NOT, MADE NOT POSSIBLE TO DO SO, BETWEEN SEPT 27 AND OCT 22, 2018. HAD THIS ACTION BEEN FILED WHEN BAY CO. MADE IT IMPOSSIBLE TO FILE, THIS COURT WOULD NOT BE ASKING ME TO SHOW CAUSE AS TO WHY IT SHOULD NOT BE DISMISSED BECAUSE OF HECK V. HAMPRIES.

THIS PLAINTIFF'S ENTIRE DEFENSE WAS BOUND AND GARLED BY THE ACTS OF THESE DEFENDANTS IN EFFORT (INTENTIONAL) TO ASSIST THE POLICE AND PROSECUTOR ASSURE/ENSURE A CONVICTION FOR BIAS/PREJUDICE FROM SUBJECT OF 19-11466 SEE, IN THIS US DIST. COURT.

Ⓐ CLAIMING "FAILURE TO STATE A CLAIM FOR WHICH RELIEF MAY BE GRANTED" IN THIS CASE AND IN THESE "SCREENINGS" (CASE DISPOSALS) IS BEING DONE ENTIRELY OUT OF CONTEXT AS THE CLAIMS STATED IN ALL THE HEREIN FEDERAL COURT CASES BY THIS PLAINTIFF DO STATE PROPER CLAIMS FOR WHICH RELIEF MAY BE GRANTED. THIS COURT SEEMS TO BE CAPITALIZING ON THE "WHEN" RATHER THAN THE "IF" FOR "SCREENING" PURPOSES, IN ITS SCREENING PROCESS IN ERROR OF ITS DISCRETION.

"AN ACTION THAT FAILS TO STATE A CLAIM FOR WHICH RELIEF CAN BE GRANTED." COULD NEVER CURE ITSELF WITH TIME WHEREAS THIS ACTION WILL WITH THE REVERSAL AND VACATION OF THE UNDERLYING CONVICTION AND SENTENCE OF THE TRIAL COURT.

THIS COURT KNOWS THAT THIS PLAINTIFF'S ^{INSTANT} CLAIM IS SOLID ~~AND~~ FROM THE WELL PLEADED FACTS AND THAT ~~THE~~ ~~THE~~ RELIEF CAN BE GRANTED SATISFYING THE ORDER TO SHOW CAUSE SO THIS COURT SHOULD NOT DISMISS THIS ACTION AND ORDER THE SERVICE OF THE NAMED DEFENDANTS IN THIS ACTION THROUGH THE MARSHAL SERVICE.

DEFENDANT TROY STEWART SUSPENDED THE RAY CO. JAN GRIEVANCE SYSTEM/PROCESS CITING THE TROUBLE I CAUSED HIM DURING MY 56 DAY STAY AT THE COMMENCEMENT OF MY PROSECUTION FROM OCT 11, 2017 TO DEC 6, 2017 - SO THAT THE GRIEVANCE PROCESS WOULD NOT BE AVAILABLE DURING MY STAY FROM 8-8-18 TO 12-19-18 KILLING MY ADMINISTRATIVE REMEDIES AND PREVENTING THIS ACTION BEFORE MY TRIAL INCLUDING INJUNCTIONS AGAINST THE SAME BEHAVIOR. ATTACHED IS A MOTION FOR NEW TRIAL THAT INCLUDES THE GRIEVANCE ON DEFENDANT TROY STEWART AND HIS 3 PAGE DENIAL...

THESE DEFENDANTS ARE NOT BEING SED ENTIRELY FOR HAVING DENIED ME A FAIR TRIAL BUT MORE FOR DEPRIVING ME OF MY PROPERTY ASSENT DUE PROCESS INDEPENDANT FROM THE END RESULT OF THE "TRIAL".

THIS COURT IS ATTEMPTING TO MAKE A "TIMING ISSUE" CAUSE FOR DISPOSING OF MY CASE WITHOUT ACKNOWLEDGING THAT THE CREATION OF THESE ISSUES HAD BEEN CONTINU ON HECK V. HUMPHRIES FROM THE START TO CONCEAL THESE CONSTITUTIONAL DEPRIVATIONS FROM ANY AND ALL "OTHER" COURT(S). (SNEAKY BASTARDS)

Pg 271 OF THIS COURT'S ORDER SAYS...

"VISNER NOW ALLEGES..." [EMPHASIS ADDD]

THIS, IN CONTEXT, IS NOT CORRECT. VISNER HAS/HAD BEEN ALLUING SINCE OCTOBER 1, 2018 AND ALL THE WAY UP TO AND THROUGH THE "TRIAL" THAT THE DEFENDANTS HAD DEFIED COURT ORDERS TO DENY MY ACCESS TO MY PROOFS AND EVIDENCE TO SUPPORT MY DEFENSE AND NOT MERELY "ACCESS TO MATERIALS TO ASSIST HIM" AS SUGGESTED BY THIS COURT.

THE VIOLATION OF MY RIGHTS TOOK PLACE BEFORE MY "TRIAL" BUT BECAUSE OF MY CONVICTION AND SENTENCE AS A RESULT OF THE TRIAL THAT SHOULD HAVE BEEN ADJUDGED, MY RIGHT TO REDRESS FOR THIS PARTICULAR ISSUE IS LOST DUE TO HECK. WHAT THE HECK!

THIS SET OF FACTS ^{ON HOW} CREATES AN INSTRUCTION SET ^{FOR MAUCIOUS PROSECUTION} TO VIOLATE RIGHTS AND OBBSCOND FROM LIABILITY BY CREATING A CONVICTION WHICH CONSTITUTES WEAPONIZED COURT PROCESS - PROMOTED BY HECK, MAUCIOUS & VEXATIOUS PROSECUTIONS DO HAPPEN. HOW MANY HAVE BEEN CONCEALED BY THE MISAPPLICATION OF HECK TO PERVERT OUR SYSTEM OF JUSTICE?

WHEREFORE PLAINTIFF PRAYS THAT THIS COURT ACCEPTS THIS ¹⁹⁸⁵ CLAIM TO INCLUDE A PETITION FOR WRIT OF HABEAS CORPUS AND ISSUE SUCH WRIT, APPOINT INVESTIGATOR, CASE(S) COUNSELOR FOR CONSOLIDATION/ENJOINMENT CONSPIRACY, ORDER THE 18th CIRCUIT COURT TO STOP DENYING ME ACCESS TO MY POST CONVICTION RECORDS AND REJECTING MY PROPER REQUESTS FOR COPIES OF PLEADINGS AND TRANSCRIPTS UNDER MCR 6.433(G) WITHOUT FURTHER DELAY OR EXCUSE, APPOINT COUNSEL TO ASSIST IN CONSOLIDATION AND NEGOTIATIONS AND ANY OTHER AND FURTHER RELIEF THIS HONORABLE COURT DEEMS APPROPRIATE.

Respectfully Submitted,



Theodore J. Visner

WEDNESDAY
JUL 24, 2019
DATE

EXHIBIT A


12-13-18

DEAR CLERK OF THE 18th CIRCUIT COURT.

MR. MANNIKKO WAS TO FILE A 63 PAGE OBJECTION
AND EMERGENCY MOTION FOR RECONSIDERATION ON EITHER
12-11-18 OR 12-12-18 AND SET A HEARING DATE FOR
THAT.

IF MR. MANNIKKO HAS NOT SET THIS FOR HEARING
AS I HAD ASKED HIM TO, PLEASE DO THAT NOW
AND LET ME KNOW WHAT THE DATE AND TIME WILL BE
SO THAT I MAY NOTICE THE PARTIES. ADDITIONALLY
THERE WILL BE EMERGENCY MOTION FOR BAIL BETWEEN TRIAL
COURT JUDGMENT AND DECISION OF APPELLATE COURT
TO ALSO BE HEARD AT THE SAME TIME.

THANK YOU! !!!
HAPPY HOLIDAYS!
GOD BLESS YOU!


TED VISSER

12-13-18

**STATE OF MICHIGAN
IN THE 18TH CIRCUIT COURT FOR THE COUNTY OF BAY
- CRIMINAL DIVISION -**

PEOPLE OF THE STATE OF MICHIGAN

V.

HON. HARRY P. GILL

THEODORE JOSEPH VISNER,
Defendant.

~~17-10629-FH~~

17-10630-FH

17-10631-FH

17-10632-FH

BERNARD J. COPPOLINO (P33577)
Bay County Assistant Prosecutor
1230 Washington, Suite 768
Bay City Michigan 48708
(989) 895-4185

THEODORE JOSEPH VISNER
In Proper Persona
856 W. Cody-Estey Road
Pinconning, MI 48226
(989) 954-2814

**DEFENDANT'S EMERGENCY MOTION FOR BAIL
BETWEEN TRIAL COURT JUDGMENT
AND DECISION OF APPELLATE COURT**

NOW COMES DEFENDANT THEODORE VISNER AND MOVES THIS COURT TO REINSTATE THE PREVIOUSLY ISSUED PR BOND SO THE DEFENDANT CAN FIND GAINFUL EMPLOYMENT AND EARN FOR HIS FAMILY AND BE WITH HIS FAMILY & 2 YR OLD DAUGHTER FOR HER 3RD CHRISTMAS, (PER MC 770.8)

WHEREFORE DEFENDANT PRAYS THIS COURT GRANTS THIS MOTION AND ALLOWS THIS DEFENDANT TO FIND EMPLOYMENT AND BE WITH FAMILY AND LOVED ONES.

RESPECTFULLY SUBMITTED.


THEODORE VISNER

12-12-18
DATE

**STATE OF MICHIGAN
COUNTY OF BAY**

ATTESTED
A TRUE COPY
CYNTHIA A. LUCZAK
CLERK OF CIRCUIT COURT

By P. Fisher Deputy

PROOF OF SERVICE

All parties were served a copy of this, DEFENDANT'S EMERGENCY MOTION
FOR BAIL BETWEEN TRIAL COURT JUDGMENT AND DECISION OF
APPELLATE COURT

on 12-13-18 ^{AFTER 8:00 AM} by US Postal Service or personal service at the address below.

INTER OFFICE JAIL DELIVERY
BY JAIL STAFF C/O MURPHY / SAM
to TO MANWIKKO to 2
BERNARD J. COPPOLINO (P33577)
Bay County Assistant Prosecutor
1230 Washington, Suite 768
Bay City Michigan 48708
(989) 895-4185

By THEODORE J. VISNER
to
18th CIRCUIT
Bay County Circuit Court Clerk
1230 Washington, Suite 725
Bay City, MI 48708
3 sets, one for each file
1 set for Judge Gill

Prepared by


THEODORE JOSEPH VISNER
In Propria Persona
856 West Cody Estey Road
Pinconning, MI 48650
(989) 954-2814

12-13-18
DATE

STATE OF MICHIGAN
IN THE 18TH CIRCUIT COURT FOR THE COUNTY OF BAY
- CRIMINAL DIVISION -

PEOPLE OF THE STATE OF MICHIGAN

V.

THEODORE JOSEPH VISNER,
Defendant.

HON; HARRY P. GILL
17-10629-FH
17-10630-FH
17-10631-FH
17-10632-FH

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OBJECTION TO 12-6-18 ORDER AND

12-10-18

TIMELY FILED
EMERGENCY MOTION FOR RECONSIDERATION
OF THE HASTY AND WANTINGLY UNINFORMED AND
INCONSIDERATE AND COMPLETELY UNFAIR RULING OF THE COURT
ON DECEMBER 6, 2018 WITH REGARD TO THIS
DEFENDANT'S MOTION FOR JUDGMENT
NOTWITHSTANDING THE VERDICT OR ALTERNATIVELY
FOR A FAIR NEW TRIAL

NOW COMES DEFENDANT THEODORE J. VISNER

MOVES THIS COURT TO STOP BEING UNFAIR TO
DEFENDANT AND TO RECONSIDER THE DEC 6, 2018
COURT RULING THAT DENIED THIS DEFENDANT A FAIR
NEW TRIAL AND PRESENTS THIS ADDITIONAL

STATE OF MICHIGAN
COUNTY OF BAY

ATTORNEY

A TRUE COPY

BY *Theresa J. Caudle*

CLERK OF CIRCUIT COURT

Dep. Clerk

INFORMATION THAT THE COURT HAS BEEN EXTREMELY
RELUCTANT TO HEAR AND ACCOT DESPITE THE BEST EFFORTS
OF THIS DEFENDANT IN EVERY ENCONTER WITH THIS COURT,

THIS DEFENDANT HAS BEEN DENIED COURT ORDERED
ACCESS TO DEFENSE MATERIALS AND PROOFS FOR DEFENDANT'S
DEFENSE. THIS IS OBVIOUSLY IMPORTANT AND A CRITICAL COMPONENT TO THE PROPER
ADMINISTRATION OF JUSTICE AND CAN NOT BE, IN ANY GOOD FAITH, IGNORED.

THE "PEOPLE" CLAIM THAT THIS DEFENDANT HAS BEEN DENIED ACCESS
TO DEFENSE EQUIPMENT & DEFENSE MATERIALS BECAUSE DANI AUSTIN DIDN'T BRING IN
POWER CORDS WHEN THE MAJORITY OF MY EQUIPMENT IN THE POSSESSION OF
THE "PEOPLE" ALREADY HAD THE REQUIRED POWER CORDS
AS SHOWN IN THE PICTURES INCLUDED IN THE ATTACHED 32 PAGE
NOTARIZED EXHIBIT TITLED "BAY COUNTY JAIL PRISONER GRIEVANCE -
TV.001", EXHIBIT 001.

ONE OF THE LAPTOP COMPUTER BATTERIES STILL HELD
A CHARGE OF 20% ON OCT 27, 2018
WHEN CHECKED BY DANI AUSTIN!

BNT 0236-17

ADDITIONALLY - BAYANET POLICE REPORT SUPPLEMENTAL 004 DATED

OCT 11, 2017 PAGE 31, ITEM #0097 - DESCRIBES A ZM000
HARD DRIVE 500 GB CAMERA WITH POWER CORD. ON THE
POLICE REPORT!

PAGE 32, ITEM #0100 - ASUS SERIAL D6NOC4637870254
LAPTOP COMPUTER WITH POWER CORD. ITEM #0120 ON

PAGE 36 IS CELL PHONE WITH POWER CORD. ITEM #0025

IS PICTURED ON PAGE 29 OF EXHIBIT WITH USB POWER
CORD. ADDITIONALLY ITEM #64 ON PAGE 24 OF OF BNT-236-17
SUP-0004 DOESN'T SAY THAT IT WAS STOLEN BY THE POLICE
WITH IT'S CORDS BUT IN THE PICTURE ON PAGE 31 OF THE
ATTACHED EXHIBIT YOU CAN SEE THAT IT WAS RETURNED
TO DANIEL G AUSTIN AFTER DEF'S KANGAROO TRIAL

IN AN EVIDENCE BAG WITH A POWER CORD. THE EVIDENCE BAG IS CLEAR AND EVEN IF SEALED THE POWER CORD IS VISIBLE THROUGH THE EVIDENCE BAG.

THE TWO ASUS COMPUTERS, CALLED ITEMS # 24 AND # 100 BY THE PEOPLE ARE THE SAME BRAND AND USE THE SAME POWER CORD. THIS CORD IS INTERCHANGEABLE WITH THESE 2 COMPUTERS.

THE COURT CAN REMAIN AS IGNORANT AND AS BELIGERENT AS IT WANTS BUT THIS WILL NEVER CHANGE THE FACT THAT THIS DEFENDANT HAS BEEN INTENTIONALLY DENIED & REFUSED ^{COURT ORDERED} ACCESS TO HIS PROOFS AND DEFENSE MATERIALS AND EQUIPMENT & MADE UNABLE TO DEFEND HIMSELF AS REQUIRED BY LAW, CONSTITUTION AND COMMON DECENCY AND ^{CONSTITUTES MUCH MUCH MORE THAN SUFFICIENT GROUNDS FOR APPELLATE REVERSAL OF THE CONVICTION AS PER MCR 6.431(B)}

ON 12-6-18 THIS COURT QUESTIONED MR COPPOLINO, THE BAY COUNTY ASSISTANT PROSECUTIVE ATTORNEY, IF HE HAD A RECORDING ABOUT ME REJECTING POWER CORDS AND MR. COPPOLINO SAYS THAT HE DOES AND THAT HE HAS BROUGHT IT TO THE COURT BUT THIS RECORDING WAS NEVER AUTHENTICATED OR PLAYED FOR THE COURT NOR WAS IT FILED WITH THE COURT OR PRESENTED TO THE PARTIES BUT ON COPPOLINO'S "SAY SO", JUDGE GILL ACCEPTED THIS UNPRESENTED HEARSAY EVIDENCE CONTRARY TO THE MICHIGAN RULES OF EVIDENCE AND PROPER COURTROOM DECORUM AND THE COURT (HARRY P GILL) ACCEPTS THIS UNPRESENTED HEARSAY EVIDENCE HAVING NEVER HEARD IT OR EVEN VERIFYING THAT IT EXISTS. IT WAS THE SUGGESTION OF THIS UNPRESENTED HEARSAY THAT WAS NEVER PRESENTED THAT WAS USED TO DENY THE DEFENDANT'S MOTION ON 12-06-18 UNJUSTLY.

THIS DEFENDANT ADAMANTLY OBJECTS TO THIS BEHAVIOR. HOLDING ME PRISONER NOW IS TO DELAY OR PROHIBIT PROGRESS.

BAY CO. JAIL - THIS PRIVATE & PRIVILEGED CONVERSATION HAS NO
RELEVANCE IN THESE PROCEEDINGS AS THE
POWER CORDS NEEDED WERE ALREADY HERE
AND THE AT THE BAY CO. JAIL COPS, PROSECUTORS AND JAIL
ADMINISTRATORS KNEW THIS! ^{AND HAVE KNOWN THIS THE ENTIRE TIME!}
(CPT TROY STEWART & SGT. OLIVER)

BUT WHY IS HARRY P GILL BEGINNING THE PROSECUTION FOR SOMETHING TO SUPPORT
THE CONTINUED CONSPIRED DEPRIVATION OF MY DUE PROCESS RIGHTS UNDER
COLOR OF LAW?

I HAVE BEEN ROBBED OF MY RIGHTS TO A FAIR AND SPEEDY TRIAL BY
BAY COUNTY PROSECUTOR BERNARD COPPING AND JUDGE HARRY P. GILL.

ADDITIONALLY! IN ALL OF THE CAUTIONS GIVEN TO ME ABOUT
REPRESENTING MYSELF, ~~NEVER~~ ONE HAS JUDGE GILL EVER TOLD ME THAT IN
REPRESENTING MYSELF THAT I WOULD NOT BE ALLOWED BY THE COURT TO REPRESENT
MYSELF! THAT "HE" - "JUDGE GILL" WOULD NOT ALLOW ME TO REPRESENT
MYSELF. THIS WAS ALSO NOT FAIR & UNCONSTITUTIONAL; GROUNDS FOR
COA REVERSAL AS PER MCR 6.431(B)

ADDITIONALLY - THIS COURT HAS FAILED TO STATE ITS "REASONS"
FOR GRANTING OR DENYING A NEW TRIAL ORALLY ON THE RECORD OR
IN A WRITTEN RULING MADE A PART OF THE RECORD AS REQUIRED
BY MICHIGAN COURT RULE - MCR 6.431(B). THIS COURT MUST STATE
ITS REASONS AS REQUIRED! THIS MAY ALSO BE GROUNDS FOR APPELLATE REVERSAL PER MCR 6.431(B)

ADDITIONALLY - THIS COURT HAS REFUSED TO ADDRESS THE CLAIMS
THIS COURT DENIED DEFENDANT'S PARTICIPATION IN PRE-TRIAL CONF.
ON THE DATE OF OCT 11, 2018 AND THEN SET A HEARING FOR ME ON
OCT 17, 2018 THEN HIJACKED THAT HEARING TO ROB THIS DEFENDANT
OF HIS DEFENSES SIX DAYS BEFORE TRIAL STARTS W/O NOTICE; GROUNDS
FOR REVERSAL PER MCR 6.431(B)

ADDITIONALLY - THIS COURT HAS REFUSED TO ADDRESS THE JURISDICTIONAL
CHALLENGES PRESENTED ON SEPT 12, 2018, THE ABSENCE OF A PROPER
COMPLAINT AS REQUIRED AND DEMAND BY MCR 6.101(C); GROUNDS FOR COA REVERSAL -
MCR 6.431(B)

ADDITIONALLY - THIS COURT ALTERED THE COMPLAINT FELONY ON
SEPTEMBER 12, 2018 TO READ AS FOLLOWS:

COUNT 1: CONTROLLED SUBSTANCE - DELIVER MANUFACTURE MARIJUANA did manufacture, or POSSESS WITH INTENT to DELIVER THE CONTROLLED SUBSTANCE MARIJUANA;
 "Contrary to MCL 333.740(1);"
ADDED BY GILL ON 9-12-18

ADDING THE NUMBER 333.740(1) BETWEEN "MCL" AND THE SEMICOLON TO CREATE A PROPER STATUTORY CITATION OF A CRIMINAL OFFENSE. BUT THE COURT IS NOT SUPPOSED TO DO THE WORK OF THE PROSECUTOR. ^{GROUND FOR COA REVERSAL AS PER MCR 6.431(C)} THIS DEFENDANT HAS BEEN FORCED TO DEFEND AGAINST UNSPECIFIC CHARGES FROM OCT 11, 2017 THROUGH THE COURT ORDERS CLOSE OF MOTIONS ON SEPT 12, 2018 EXHAUSTING THIS DEFENDANT'S RESOURCES ENTIRELY AT MASSIVE PREJUDICE AND BIAS AGAINST DEFENDANT. ^{GROUND FOR APPELLATE REVERSAL PER MCR 6.431(B)}

ADDITIONALLY — THIS DEFENDANT WAS NEVER ARRANGED ON THE NEW CHARGES PRESENTED TO DEFENDANT BY THIS COURT ON SEPTEMBER 12, 2018 NOR HAS THIS DEFENDANT BEEN ASKED TO PLEA TO THESE NEW ALTERED CHARGES. NOR HAS THE PROSECUTOR ADEQUATELY INFORMED THE COMPLAINT FELONY OR THE INFORMATION FELONY ^{CREATING ADDITIONAL GROUNDS FOR APPELLATE REVERSAL AS PER MCR 6.431(B)}.

MORE THAN A DOZEN SUBSTANTIAL REASONS EXIST TO JUSTIFY SETTING ASIDE OR VACATING THE CONVICTION AND GRANTING A NEW TRIAL THAT IN AN UNBIASED COURT WOULD LEAD TO AN UPRIGHT ACQUITTAL AND DISMISSAL.

THIS WEAPONIZED COURT PROCESS WORKS EVEN IF IT IS ULTIMATELY NOT SUCCESSFUL AS WILL BE SEEN.

SHORTLY WHEN I AM SENT TO PRISON AND FORCED

TO CONDUCT MY DEFENSE FROM PRISON AFTER BEING SUBJECTED TO QUARANTINE AT JACKSON PRISON FOR 3-6 WEEKS WITHOUT ACCESS TO MY DEFENSE MATERIALS WHILE MYSELF AND FAMILY INCURS MORE AND MORE IRREPARABLE DAMAGES AS INTENDED BY THE BAY CO. COURTS, PROSECUTORS AND POLICE.

"EXHIBIT 002" IS A PICTURE TAKEN AT MY HOME, IN MY GARAGE, UNDER MY MARIJUANA CULTIVATION LIGHTING ON THE DATE OF THE 2ND POLICE RAID ON MY PROPERTY OF 8-8-18 SHOWING MY LEGAL DEFENSE PLANS, NOTES AND DEFENSE STRATEGY. MORE THAN 50 SUCH PICTURES WERE TAKEN OF THIS DEFENDANT'S LEGAL DOCUMENTS DEMONSTRATING THAT THIS 2ND RAID HAD MORE TO DO WITH DISCOVERING AND DERAILING MY DEFENSE THAN IT DID WITH ANYTHING ELSE.

MY CONTINUED INCARCERATION NOT ONLY CRIPPLES MY DUE PROCESS RIGHTS AND ACCESS TO THE COURTS IN THESE INSTANT CASES BUT HAS ALSO STOPPED AND PREVENTED OTHER LEGAL AND CIVIL LEGAL ACTIONS ^{BY DESIGN AND INTENT} NOTED IN EXHIBIT 002 SUCH AS "NOTICE TO MSP", "NOTICE TO GOVERNOR", "SUMMONS AND COMPLAINT SERVED ON MSP", MULTIPLE CONSTITUTIONAL CHALLENGES TO THE COURT OF CLAIMS, AN APPEAL OF ISABELLA COUNTY EJECTMENT WHERE JUDGE ERIC JAMES AS THE JUDGE IN THOSE PROCEEDINGS TOLD MY WIFE AND I THAT AS THE NAMED DEFENDANTS THAT WE DIDN'T HAVE STANDING AND GAVE AWAY OUR LAND & HOME IN 2015. PLUS MANY OTHER THINGS.

PAGE 6 OF 10

EXHIBIT 003 IS ANOTHER SUCH PICTURE TAKEN BY POLICE IN MY HOME, UNDER MY LIGHTS, OF MY DEFENSE PLANS AND AND DEFENSE MATERIALS. EXHIBITS 002, 003 ARE ONLY TWO OF MORE THAN 50 PICTURES TAKEN BY POLICE THAT THIS DEFENDANT IS AWARE OF AND RAIDING MY HOME TO STEAL MY DEFENSES AND TAKE BY FORCE MY "PAPERS AND EFFECTS" WAS NEVER AUTHORIZED BY WARRANT (8-18) CONTRARY TO MY STATE & FEDERAL RIGHTS.

MY CONTINUED INCARCERATION IS NOT ONLY WRONG IN THIS CASE(S) BUT AS MUCH AND MORE FOR WHAT IT DOES TO ^{EXTINGUISH} MY RIGHTS AND ABILITY TO SEEK REDRESS AND REMEDY ^{1ST AMENDMENT RIGHTS} WITH REGARD TO THE ANONYMOUS - MSP OFFICER SAFETY CAUTION THAT HAS GENERATED HIS MASSIVE PREJUDICIAL BIAS AGAINST THIS DEFENDANT - THEODORE JOSEPH VISNER THAT MAKES HIM "PERSONA NON GRATA" WITHOUT ANY REBUTAL OR APPEAL RIGHTS.

EXHIBIT 004 IS A 2PG SWORN AFFIDAVIT WITH 1PG EXHIBIT THAT WAS DELIVERED TO JUDGE GILL ON OCT 2, 2018 (21 DAYS BEFORE THE START OF TRIAL!) INFORMING HIM AND HIS OFFICE THAT CONTRARY TO HIS ORDERS, THIS DEFENDANT HAD STILL NOT BEEN ALLOWED TIME WITH HIS DIGITAL DEFENSE MATERIALS & PROOFS AS PER ORDERS. THEN ON OCT 11, 2018 JUDGE GILL WOULD NOT ALLOW ME, AS THE DEFENDANT PARTY IN THIS ACTION, TO PARTICIPATE IN THE PRE-TRIAL CONFERENCE ON OCT 11, 2018 { INTENTIONAL VIOLATION OF MCR 2.401(B) AND MCR 2.401(C) CREATING ADDITIONAL GROUNDS FOR APPELLATE REVERSAL PER MCR 6.431(B) }

I KNOW THAT I HAVE "APPEAL RIGHTS" ... EVERYBODY DOES. BUT FORCING THIS DEFENDANT INTO A POSITION TO HAVE TO APPEAL WHEN ALL OF THE APPELLATE REVERSAL ISSUES ARE SO OBVIOUS AND SO CLEAR ONLY DEMONSTRATES HOW BAY CO. PROSECUTORS AND JUDGE GILL CAN MANIPULATE COURT PROCESS TO UNFAIRLY CONVICT BAY CO. ACQUITTALS INTO BAY CO. CONVICTIONS THROUGH WEAPONIZED COURT PROCESS.

ON 12-06-18 CAPTAIN TROY STEWART HAND DELIVERED TO ME THE ATTACHED EXHIBIT 005 3 PAGE GRIEVANCE RESPONSE DATED DEC 6, 2018 THAT IS UNSIGNED MAKING IT INVALID AND VOID. IT IS ALSO FILLED WITH LIES AND IRRELEVANT INFORMATION. CAPTAIN TROY STEWART IS ALSO THE PRIMARY SUBJECT OF MY GRIEVANCE AND SHOULD HAVE NEVER ANSWERED IT HIMSELF. I GAVE THE GRIEVANCE TO SGT. MARTIN AND TOLD HIM THAT CAPTAIN STEWART WAS THE SUBJECT OF THE GRIEVANCE AND THAT IT SHOULD GO TO CAPTAIN STEWART'S IMMEDIATE SUPERVISOR. SGT MARTIN ROLLED HIS EYES. ON DEC 8, 2018 (SATURDAY EVENING) I GAVE ANOTHER COPY OF THE 32 PAGE GRIEVANCE (MISSING PG 32 - ^{EXHIBIT} ACTION IN COURT DATED 9-27-18) TO THE BAY CO. SHERIFF: UNDER-SHERIFF TO SHARE AS NEEDED BECAUSE THE JAIL WOULD ONLY GET THIS ONE PAGE DOCUMENT IF I PAID \$4.00 FOR IT!

HERE IS A LIST OF THE ITEMS THAT THIS DEFENDANT WAS TO BE GIVEN ACCESS TO WHEN PREPARING HIS DEFENSE. IN THE SEPT 27, 2018 ORDER

POWER CORD WITH ITEM AS HELD BY POLICE	ITEM #	DESCRIPTION	COULD THIS ITEM BEEN USED IN THE JAIL WITHOUT ADDITIONAL CORDS?
YES	ITEM 24	ASUS LAPTOP COMPUTER	YES
YES	ITEM 25	WD EXT HDD	YES
YES	ITEM 26	SEAGATE EXT. HDD	YES
NO	ITEM 47	IPHONE 6	NO
YES	ITEM 46	SAMSUNG SILVER CELL PHONE	YES
NO	ITEM 50	WHITE IPHONE 5 w/ CRACKED SCREEN	NO
YES	ITEM 64	RADIO / TV / VCR HARD DRIVE	YES
YES	ITEM 86	NIKON CAMERA (DIGITAL)	YES
YES	ITEM 97	ZMODO 500GB HARD DRIVE	YES
YES	ITEM 100	ASUS LAPTOP COMPUTER	YES

(DIAGRAM 1)

8 OF THE 10 ITEMS LISTED EITHER HAD IT'S OWN CORD OR COULD HAVE SHARED A CORD WITH AN ITEM THAT HAD ITS OWN CORD WITH IT.

8 OF THE 10 ITEMS COULD HAVE BEEN USED "AS-IS" TO ASSIST DEFENDANT IN PREPARING HIS DEFENSE.

10 OF 10 ITEMS DENIED DEFENDANT BY BAY CO. JAIL ADMINISTRATOR - CAPTAIN TROY STEWART IN DIRECT VIOLATION OF COURT ORDERS.

IN REMEMBRANCE - THIS DEFENDANT WAS GRANTED ACCESS TO THESE ITEMS AS A RESULT OF AN EMERGENCY MOTION MADE BY THIS DEFENDANT THAT IS TITLED;

"DEFENDANT'S EMERGENCY MOTION FOR RETURN OF PROPERTY STOLEN FROM DEFENDANT BY POLICE IN THESE CASES FOR THE PURPOSE OF HINDERING THIS DEFENDANT'S DEFENSE IN COURT CASES 17-10629, 17-10630, 17-10631, 17-10632 AND 18-10535-FY"

(ATTACHED AS EXHIBIT 007)

THIS EMERGENCY MOTION WAS GRANTED BY THE COURT FOR ALL OF THE REASONS STATED BY THE DEFENDANT INCLUDING THE REASONS STATED DIRECTLY IN THE CAPTION OF THE EMERGENCY MOTION ITSELF.

(ATTACHED AS EXHIBIT 008)

EXHIBIT 008 IS A SWORN AFFIDAVIT DATED OCTOBER 6, 2018 AGAIN CLAIMING UNDER OATH THAT THIS DEFENDANT HAS NOT HAD ACCESS TO COURT ORDERED DISCOVERY.

THERE ARE NOW TWO ISSUES WITH DEFENSE MATERIAL AND DEFENSE EQUIPMENT. THIS DEFENDANT WAS ORDERED DISCOVERY CONTAINED ON DEFENDANT'S DIGITAL ELECTRONIC DEVICES DATING BACK TO MAY 2018 THAT HAS STILL NOT BEEN DELIVERED TO THIS DEFENDANT AS ORDERED BY THE COURT AND DIFFERENT AND FURTHER ORDER RESULTING FROM THE DEFENDANT'S ATTACHED 4 PG "EXHIBIT 007" WHICH WAS FOR DEFENSE MATERIALS (MOTIONS/PROOFS/ETC) PLUS DEFENSE COMPUTER AND KEYS TAKEN FROM DEFENDANT ON AUGUST 8, 2018 AND ORDERED RETURNED TO DEFENDANT IN SEPTEMBER 2018.

THE PROSECUTION AND THE BAY CO JAIL ADMINISTRATION AND THE COURT ARE WORKING TOGETHER TO DENY THIS DEFENDANT ACCESS TO MATERIAL THAT IS THE SUBJECT MORE THAN **TWO COURT ORDERS** AND NUMEROUS

OPEN COURT CONVERSATIONS RELATED TO THE SAME.

MY LIFE IS AT STAKE HERE! PLEASE REMEMBER THAT WHEN YOU LOOK AT THE PAGE COUNTS OF MY FILINGS. ON DECEMBER 6, 2018 JUDGE CILL REFUSED GRANTING A NEW TRIAL KNOWING THAT THIS DEFENDANT NEVER GOT ACCESS AS ORDERED TO BOTH DEFENSE MATERIALS AND DISCOVERY OVER THE ENTIRE 13+ MONTHS OF THE PROSECUTION OF THIS DEFENDANT.

THIS DEFENDANT IS BEING ASSAULTED BY THE WEAPONIZATION OF COURT PROCESS HERE IN BAY COUNTY.

THE TRIAL IN THIS CASE WAS FORCED TO HAPPEN BEFORE THE NAMESSER VOTE TO HELP INSURE A CONVICTION WHEN THE TRIAL SHOULD HAVE BEEN ADJOURNED BASED ON THE FACT THAT THIS DEFENDANT HAD BEEN DENIED CRITICAL ACCESS TO DISCOVERY AND DEFENSE MATERIALS BY THE PEOPLE AND THE JAIL STAFF.

WHEREFORE THE DEFENDANT RESPECTFULLY REQUESTS THIS COURT TO SET ASIDE IT'S UNEXPLAINED ORDER TO DENY DEFENDANT'S MOTION TO GRANT A NEW TRIAL AND GRANT A JUDGMENT OF ACQUITTAL OR GRANT DEFENDANT'S REQUEST FOR A NEW TRIAL.

4 ADDITIONAL AFFIDAVITS ATTACHED IN SUPPORT.
EXHIBIT 009, EXHIBIT 010, EXHIBIT 011,
EXHIBIT 012.

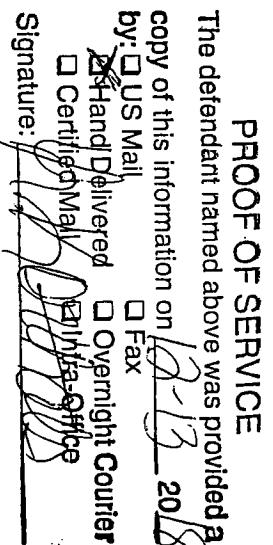
PREPARED BY,



Theodore J. Visner
IN PROPRIA PERSONA
856 WEST CODY ESTEY RD
PINCONNING, MI 48650
(989) 954-2814

12-10-18
DATE:

MCL 763.6
MCL 767.57
MCL 767.76

PROOF OF SERVICE
The defendant named above was provided a
copy of this information on 12-13-2018
by: ☐ US Mail ☐ Fax
☒ Hand Delivered ☐ Overnight Courier
☐ Certified Mail ☐ In-House Office
Signature: 

32 pg

EXHIBIT 001

NOV 8, 2018
TV. 001

BAY COUNTY JAIL
PRISONER



GRIEVANCE - TV.001

CAPTAIN TROY STEWART MADE ME GUILTY
OF 12 FELONY COUNTS BY DENYING
ME COURT ORDERED ACCESS TO DEFENSE COMPUTERS
AND DEFENSE EVIDENCE WHILE A PRISONER UNDER HIS CHARGE.

CAPTAIN TROY STEWART
COMMANDING OFFICER
BAY COUNTY JAIL

BAY CO. JAIL
503 3RD ST
BAY CITY, MI
48708

~~1 pg PROS 005~~
~~2 pg PROS 004~~

~~PROS 003~~

~~2 pg EXHIBIT 003~~

~~1 pg COVER~~

~~1 pg PROS 001~~

~~2 pg PROS 002~~

~~1 pg PROS 003~~

~~2 pg PROS 004~~ SEE INDEX NEXT PAGE

Prepared By,

NOV 2, 2018

DATE

CAPTAIN TROY STEWART HAD PHYSICAL POSSESSION OF BOTH THEODORE
JOSEPH VISNER AND THEODORE VISNER'S DEFENSE COMPUTERS AND DEFENSE
EVIDENCE. CAPT. STEWART KEPT THEM APART IN VIOLATION OF THE ATTACHED
COURT ORDER DENYING VISNER (ME) ACCESS TO EVIDENCE NEEDED FOR TRIAL.
MY TRIAL IS OVER NOW AND I HAVE BEEN FOUND GUILTY WITHOUT THIS
DEFENSE EVIDENCE.

GRIEVANCE,
STATED AT THE DIRECTION OF THE BAY COUNTY JAIL ON THE
HIM THAT STANDARDIZED GRIEVANCE FORMS DO NOT
ST FOR ME TO USE TO FILE A GRIEVANCE ON OCT 30, 2018

INDEX

TEKEL

GRIEVANCE - TV.001
INDEXTHOU HAST BEEN
WRONGED IN THE
BATTLE AND ART
FOUND WANTING.
(DANIEL 5:26)Pg i GRIEVANCE COVER & INTRO
Pg ii INDEX
Pg 1-6 BOOK
Pg 6 SIGNATURE & NOTARY

2 pg EXHIBIT 001 SCOT 27, 2018 ORDER
 1 pg EXHIBIT 002 OSC <BIAS GENERATOR>
 2 pg EXHIBIT 003 COPPOLINO LETTER (DATED SEPTEMBER 18, 2018)
 2 pg EXHIBIT 004 COPPOLINO FILING (DATED SEPTEMBER 24, 2018)
 1 pg EXHIBIT 005 COPPOLINO LETTER (DATED OCT 2, 2018)
 3 pgs EXHIBIT 006 SUP.001 TO GRIEVANCE TV.001
 5 pgs EXHIBIT 007 5 JAIL KITES - 1 PER PAGE
 1 pg EXHIBIT 008 DANIELLE AUSTIN AFFIDAVIT 11-01-18
 1 pg EXHIBIT 009 TRINDLE LEE JONES AFFIDAVIT 11-01-18
 1 pg EXHIBIT 010 PICTURE OF 2 LAPTOPS & POWER CORD THAT WORKS FOR BOTH
 1 pg EXHIBIT 011 (PIC) ZMOTO W/ POWER CORD
 1 pg EXHIBIT 012 WD HDD (EXTERNAL) (PIC)
 1 pg EXHIBIT 013 ASUS LAPTOP W/ POWER CORD (PIC)
 1 pg EXHIBIT 014 SECURITY SYSTEM HDD DVR (PIC)
 1 pg EXHIBIT 015 ACTION IN COURT DATED 9-27-18

32 PAGES IN TOTAL

THIS IS A GRIEVANCE / COMPLAINT ABOUT
THE CAPTAIN OF THE BAY CO. JAIL (TROY STEWART) DENYING
ME ACCESS TO COURT ORDERED DISCOVERY IN HIS

(THE CAPTAIN'S)

CONTROL AND POSSESSION CAUSING THEODORE VISNER

CIRCUIT COURT
CASES

TO BE FOUND GUILTY ON 12 FELONY COUNTS

17-10629

17-10630

17-10631

17-10632

DATE OF GRIEVANCE: 10-30-18

ON SEPTEMBER 27, 2018 HON. HARRY P. CULL SIGNED
AN ORDER [COPY ATTACHED] TITLED "ORDER ALLOWING DEFENDANT
ACCESS TO ITEMS IN BAY CO. JAIL".

AS THE ORDER STATES, THE COURT CONSULTED WITH
THE BAY CO. SHERIFF DEPARTMENT AND ORDERED THE
FOLLOWING.

• THAT AT APPROPRIATE TIMES AND AT A PLACE TO
BE DESIGNATED BY JAIL PERSONNEL, DEFENDANT
SHALL HAVE ACCESS TO THE FOLLOWING ITEMS
WHEN HE IS PREPARING HIS CASE:

- ITEM 24: ASUS COMPUTER
- ITEM 25: WD HDD (EXT)
- ITEM 100: ASUS LAPTOP COMPUTER
- ITEM 26: SEAGATE HDD (EXT)
- ITEM 86: NIKON DIGITAL CAMERA
- ITEM 46: SAMSUNG CELL PHONE
- ITEM 47: IPHONE 6
- ITEM 64: RADIO / HDD
- ITEM 50: IPHONE 5 (WHITE)
- ITEM 97: 2WOOD SUGAR HDD

CAPTAIN STEWART REFUSED TO COMPLY WITH THIS COURT ORDER.

CAPTAIN TROY STEWART NOT ONLY DENIED THEODORE
VISNER ACCESS TO THIS DISCOVERY BUT ALSO INSTRUCTED
AND ORDERED THOSE UNDER HIS COMMAND TO DO THE
SAME.

ITEMS 24 AND 100 AND 86 AND 47 AND 50
ALL CONTAINS EVIDENCE FOR MY DEFENSE BUT COULD
NOT BE USED BECAUSE I, THEODORE J. VISNER

WAS NEVER ALLOWED ACCESS TO IT AS
ORDERED BY THE COURT ON SEPTEMBER
27, 2018.

THEODORE JOSEPH VISNER HAS BEEN A PRISONER
AT THE BAY CO. JAIL FROM AUGUST 8, 2018
AND IS STILL A PRISONER CURRENTLY AS OF
~~10-30-18~~ ~~11-01-18~~ - 12-08-18

ON FRIDAY - OCTOBER 26, 2018 VISNER FACED
A JURY AND WAS FOUND GUILTY BECAUSE THE
EVIDENCE TO SUPPORT HIS CASE WAS DENIED
HIM BY CAPT. TROY STEWART - CAPTAIN OF THE
BAY COUNTY JAIL.

NO LESS THAN 40 REQUESTS WERE MADE
BY VISNER TO THE JAIL ADMINISTRATION TO
BE ALLOWED ACCESS TO THIS PROPERTY AS
ORDERED BY THE COURT BETWEEN SEPTEMBER
27, 2018 AND OCT 20, 2018 AND THESE REQUESTS
WERE COMPLETELY IGNORED OR I WAS TOLD THAT
I HAD TO DEAL DIRECTLY WITH THE CAPTAIN ON
MATTERS REGARDING MY PROPERTY BUT STEWART IGNORED ME COMPLETELY.

THIS DEFENDANT MAY HAVE BEEN ACQUITTED OF ALL CHARGES
ON 10-26-18 HAD HE BEEN ALLOWED TO ACCESS THIS
PROPERTY DUE TO ITS EVIDENTIARY VALUE TO THE DEFENSE.

VISNER WAS FOUND GUILTY FOR HIS INABILITY
TO PROVE THAT HE WAS A LICENSED CAREGIVER AND
THIS PROOF WAS ON THE EQUIPMENT THAT CAPTAIN STEWART
KEPT FROM VISNER.

THE JAIL STAFF HERE HAS TOLD ME THAT THIS JAIL DOESN'T HAVE OFFICIAL GRIEVANCE FORMS AND THAT WRITING THIS OUT LIKE THIS IS MY ONLY OPTION. I KNOW THAT THIS IS NOT TRUE AND IS MEANT TO TAKE MY GRIEVANCE OUT OF THE NORMAL CHANNELS SO THAT IT CAN BE IGNORED SO MY ISSUES MAY BE FORGOTTEN AS I ROT IN PRISON FOR THE REST OF MY LIFE.

JAIL STAFF HAS ALSO TOLD ME THAT CAPTAIN TROY STEWART HAS DIRECTED THE SARGENTS HERE TO KEEP ME FROM GETTING MY FEDERAL MAIL. I HAVE CONFIRMED THAT A SGT. MARTIN INTERCEPTED FEDERAL MAIL AND INSTEAD OF GIVING IT TO ME - PUT IT IN A ROOM WHERE I COULD NOT GET IT OR KNOW THAT IT WAS HERE. THIS WAS PRIORITY MAIL SENT FROM DANIELLE AUSTIN WITH DELIVERY STATUS NOTIFICATION.

CPT. STEWART TOLD ME THAT I WOULD NEVER GET TIME WITH MY PROPERTY AND HE WASN'T KIDDING.

SGT. SARGENSON TOLD ME THAT I WOULDN'T EVER GET ACCESS TO MY PROPERTY HERE IN THE JAIL UNTIL I SHOWED HIM THE COURT ORDER [ATTACHED]. AFTER GIVING A COPY OF THE COURT ORDER TO SGT. SARGENSON HE TOOK THE ORDER SERIOUSLY ON SATURDAY OCT 20, 2018 AND WENT ON A HUNT FOR THE PROPERTY LISTED. IN ADDITION TO HIS OTHER DUTIES AS THE WEEKLY COMMANDING OFFICER OF THE JAIL HE FINALLY TRACKED MY PROPERTY DOWN TO WHERE SEIZED GUNS AND EXPENSIVE PROPERTY IS

KEPT IN THE LARGER OF THE TWO PROPERTY
HOLDS ON THE MAIN LEVEL OF THE BUILDING.
SGT. SARGENSON WAS FINDING AND MAKING ALL
THE PREPARATIONS TO EITHER GET ME IN CONTACT
WITH MY PROPERTY OR TO ALLOW ME TO FACILITATE THROUGH
HIM THE TRANSFER OF ALL MY PROPERTY TO DANIELLE AUSTIN
ON ¹⁰⁻²⁰⁻¹⁸ SATURDAY OR ¹⁰⁻²¹⁻¹⁸ SUNDAY. SGT. SARGENSON THEN
WENT OUT OF HIS WAY TO APOLOGIZE FOR NOT UNDERSTANDING
THE SCOPE OF THE COURT ORDER AND TO LET ME KNOW
THAT HE WOULD MAKE SURE THAT BEFORE THE END OF HIS
SHIFT ON SUNDAY THAT HE WOULD MAKE SURE DANIELLE
AUSTIN WOULD GET THIS PROPERTY SO MY EVIDENCE COULD BE USED.
ALL OF THESE DETAILS WERE EXPRESSED OVER THE
MONITORED AND RECORDED JAIL HOUSE PHONE AND SGT.
SARGENSON ENDED UP SUSPICIOUSLY NOT WORKING ON SUNDAY
PREVENTING THE TRANSFER OF THIS EQUIPMENT THAT
CONTAINS THE EVIDENCE NEEDED FOR MY DEFENSE.

THIS DOCUMENT WOULD BE NOTARIZED EXCEPT FOR
THE FACT THE NOTARY AND THE NOTARY'S SCHEDULE
AND DUTIES ARE DEFINED BY CAPTAIN STEWART. I AM
COMPETENT TO TESTIFY AND WILL TESTIFY TO THE TRUTH
AND ACCURACY OF THE INFORMATION CONTAINED HEREIN
UNDER PENALTY OF PERJURY AS DEFINED IN MCL 750.423.

CAPTAIN TRIM STEWART HAS MADE THE CLAIM THAT
BECAUSE "MY PEOPLE" DIDN'T BRING ME POWER CROS THAT
HE HAD NO OBLIGATION TO CONFORM TO THE ORDER.

HOWEVER WHEN THE PROPERTY WAS TURNED OVER TO DANIELLE AUSTIN ON THE LAST DAY OF MY TRIAL¹⁰⁻²⁶⁻¹⁸ WHEN THE JURY WAS OUT FOR DELIBERATIONS DANIELLE AUSTIN AND A WITNESS CONFIRMED THAT THE EQUIPMENT COMPUTER HAD ITS POWER CORD WITH IT^{ALSO} AND THAT IT STILL HAD A 20% CHARGE ON THE BATTERY AND DIDN'T NEED A POWER CORD TO ACCESS THE EVIDENCE I NEEDED TO DEFEND MYSELF AT TRIAL.

ON ONE OF THE DAYS I WAS IN A MAX BLOCK CAPTAIN STEWART CAME TO ME FOR A VISIT. IT WAS NEAR SEPTEMBER 12-18 OR ABOUT A WEEK* BEFORE THE WRITTEN ORDER, [ATTACHES]

CPT. STEWART TOLD ME THAT HE UNDERSTANDS WHAT WAS DISCUSSED WITH HIM BY JUDGE CULL IN THE TIME BETWEEN THE ORDER WAS DISCUSSED IN COURT 10-14 DAYS BEFORE THE ACTUAL ATTACHED ORDER WAS WRITTEN- DATED 9-27-18.

CAPTAIN STEWART TOLD ME THAT HE HAD GATHERED UP ALL MY EQUIPMENT AND HAD IT IN A TOTE AND THAT HIS IT GUYS WERE THE BEST AND WOULD PROVIDE ME WITH ANY POWER CORDS I NEEDED.

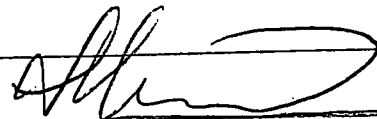
FOR THE RECORD, PROPERTY ITEMS 24 AND 100 ARE COMPUTER LAPTOPS BELONGING TO ME, THEODORE VISNER AND THESE TWO COMPUTERS WERE KNOWINGLY TO THE JAIL THE COURT, THE PROSECUTION AND MYSELF - CRITICAL TO MY DEFENSE.

THE SAME DAMAGES IVE INCURRED IN MY CRIMINAL TRIAL WILL ALSO OCCUR IN THE CIVIL ACTION AGAINST MY PROPERTY.

AS THIS OFFICIAL GRIEVANCE IS GOING TO BE STEERED AWAY FROM THE NORMAL CHANNELS OUTSIDE MY CONTROL, IT WILL BE SENT OUT IN DIFFERENT WAYS TO HOPEFULLY OVERCOME THE OPPRESSIVE FORCES HERE IN BAY COUNTY MICHIGAN.

By my signature below I am attesting to the truth and accuracy of the information contained herein and that I am competent to testify as to the truth and accuracy of the statements of fact in this grievance.

PREPARED BY,



10-31-18

DATE:

THEODORE JOSEPH VISNER
BAY CO. JAIL <84878>
503 3RD ST
BAY CITY, MI
48708

Jodi Wood
Notary Public, Lapeer County, Michigan
My Commission Expires 10/28/2021
Acting in the County of Bay

Jodi Wood
10-31-18

2Pg COMPLIANCE
EXHIBIT 001

STATE OF MICHIGAN
IN THE 18th CIRCUIT COURT FOR THE COUNTY OF BAY

STATE OF MICHIGAN
COUNTY OF BAY
ATTESTED
A TRUE COPY
CYNTHIA A. LUCZAK
CLERK OF CIRCUIT COURT

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

vs

Case Nos. 17-10629-FH Deputy
17-10630-FH
17-10631-FH
17-10632-FH

THEODORE JOSEPH VISNER,
Defendant.

ORDER ALLOWING DEFENDANT ACCESS TO ITEMS IN BAY CO JAIL

Following a hearing on September 27, 2018 and following this Court's consultation with undersheriff Chris Mausolf, the Court orders as follows:

- That at appropriate times and at a place to be designated by jail personnel, Defendant shall have access to the following items when he is preparing his case:

- Item 24: ASUS computer
- Item 25: WD external hard drive
- Item 26: Seagate external hard drive
- Item 47: iPhone6
- Item 46: Samsung Silver Cell Phone
- Item 50: White Apple iPhone5 with cracked screen
- Item 64: Radio/TV/VCR hard drive
- Item 86: Nikon camera
- Item 97: Zmodo hard drive 500 GB camera
- Item 100: ASUS laptop computer Serial #D6N0C4637870254

FILED BAY CO CLERK
CIRCUIT JUDICIAL
CLERK OF COURT
SEP 28 A 11:32
CYNTHIA A. LUCZAK

- Necessary power cords and chargers for the above listed items may be brought to the jail and Defendant will be allowed access to them under the above listed conditions.
- Wireless capability on phones/devices shall be disabled to prevent communication outside of the appropriate channels while Defendant is in

Pa 1 of 2

⑨


Order of 18th Circuit Court Pa 1 of 2

2/001

custody. Verification shall be provided to the jail administration.

IT IS SO ORDERED.

Dated: September 27, 2018



Hon. Harry P. Gill (P26321)
18th Circuit Court Judge

cc: Theodore Visner c/o Bay County Jail
Bay County Prosecutor
Bruce Mannikko, stand-by counsel

Pa 2 of 2

(10)

2/001

GRIEVANCE EXHIBIT # 002



UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

OFFICER SAFETY CAUTION

 Phone (517) 243-4977
 martm@michigan.gov


This is for informational purposes only and should not be classified as intelligence based solely on this report

June 30, 2016

DESCRIPTION

//OFFICER SAFETY CAUTION//



Name: Theodore Joseph Visner
 DOB: 04/13/1967
 R/S: W/M
 HT/WT: 6'0"/225 lbs
 EKA: 856 W Cody Estey Rd, Pinconning, MI
 SSN: 391-90-2243
 DLN: MI/ V256792441288
 SID: 4663255J
 FBI: 653331HC0

 THIS IS PROPAGANDA TO
 CREATE BIAS AGAINST
 VISNER

Narrative: Theodore Visner has been identified as a possible domestic extremist with violent tendencies. Visner was denied a concealed pistol license in Isabella County. Visner is a well-known anti-government individual with a large social media presence. Visner's recent postings include videos regarding interactions with DHS and child protection services personnel. Within the videos, Visner refers to CPS activity as "terrorism" and advocates for people to retaliate against the activity. Visner has a history of threatening behavior including threatening to shoot police over an eviction dispute, threatening a child services worker over the phone, and posting malicious and slanderous messages on various media outlets regarding members of the Isabella County Sheriff's Office and county officials.

Officers should exercise due caution when approaching this individual.

THIS IS WRONG ON EVERY LEVEL AND IS ANONYMOUS SLANDER.

WHO WROTE THIS?

ANONYMOUS SLANDER!

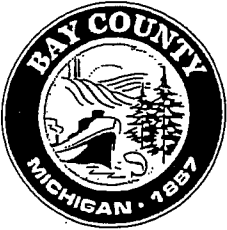
UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

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11/002



2 PM GRIEVANCE EXHIBIT 003 GOT THIS AT 4:20 ON
BAY COUNTY PROSECUTING ATTORNEY
NANCY E. BORUSHKO
 9-19-18

Victim's Rights Advocates

Cindy A. Howell
 Wendy D. Hoffard
 Kristin M. Monaghan

Assistant Prosecuting Attorneys

Jeffrey D. Stroud
 Chief Assistant Prosecutor
 Barbara J. Hayward
 Margaret A. Leaming
 Sylvia L. Linton
 Jordan E. Case
 Bernard J. Coppolino
 Michael A. Huber
 Thomas J. Hausmann

September 18, 2018

Theodore Visner
 Bay County Jail
 503 Third
 Bay City, MI 48708

Re: People v THEODORE VISNER
 18th Circuit Court Cases #17-10629-FH
 #17-10630-FH
 #17-10631-FH
 #17-10632-FH

Dear Mr. Visner:

Enclosed please find a proposed Order Following Hearing on Motions on September 12, 2018. Be advised that if no written objections to its accuracy or completeness are filed with the court clerk within 7 days after service upon you, the Order shall be submitted to Judge Gill for his signature. See MCR 2.601(B)(3) and MCR 6.001(D).

Be advised that I have directed that the following items seized during the execution of the search warrant at your residence last month be placed in your property at the Bay County Jail:

- Item 24: ASUS computer
- Item 25: WD external hard drive
- Item 26: Seagate external hard drive
- Item 47: iPhone6

Also, be advised that I have directed that the following items seized during the execution of the search warrant at your residence last year and which have been held at the Bay County Jail since July 3, 2018 awaiting your pick up be placed in your property at the Bay County Jail:

- ✓ • Item 46: Samsung Silver Cell Phone
- ✓ • Item 50: White Apple iPhone 5 with cracked screen
- ✓ • Item 64: Radio/TV/VCR hard drive

BAY COUNTY COURT FACILITY, 1230 WASHINGTON AVE., STE. 768, BAY CITY MI 48708

TELEPHONE (989) 895-4185 FAX (989) 895-4167
 TDD [HEARING IMPAIRED] (989) 895-2059

cut this at 4:20 PM on



BAY COUNTY PROSECUTING ATTORNEY NANCY E. BORUSHKO

9-11-18

Victim's Rights Advocates

Cindy A. Howell
Wendy D. Hoffard
Kristin M. Monaghan

Assistant Prosecuting Attorneys

Jeffrey D. Stroud
Chief Assistant Prosecutor
Barbara J. Hayward
Margaret A. Leaming
Sylvia L. Linton
Jordan E. Case
Bernard J. Coppolino
Michael A. Huber
Thomas J. Hausmann

- x • Item 86: Nikon camera
- x • Item 97: Zmodo hard drive 500 GB camera
- x • Item 100: ASUS laptop computer Serial #D6N0C4637870254.

Missing 7 items
94 } 3 iPhones
47 }
48 }

Very truly yours,

A handwritten signature in black ink, appearing to read "Bernard J. Coppolino".

BERNARD J. COPPOLINO

Bay County Assistant Prosecutor

cc: Judge Harry P. Gill
Bruce K. Mannikko

2pg GRIEVANCE EXHIBIT 004

STATE OF MICHIGAN
THE 18th CIRCUIT COURT - BAY COUNTY

PEOPLE OF THE STATE OF MICHIGAN

V.

HON. HARRY P. GILL

17-10629-FH

17-10630-FH

17-10631-FH

17-10632-FH

THEODORE JOSEPH VISNER,
Defendant.

BERNARD J. COPPOLINO (P33577)
Bay County Assistant Prosecutor
1230 Washington, Suite 768
Bay City, MI 48708
989-895-4185

THEODORE JOSEPH VISNER
In Proper Person
856 W. Cody-Estey Road
Pinconning, MI 48226
989-954-2814

THE PEOPLE'S ANSWER TO
DEFENDANT'S EMERGENCY MOTION FOR RETURN OF PROPERTY
STOLEN FROM DEFENDANT BY POLICE IN THESE CASES FOR THE
PURPOSE OF HINDERING THIS DEFENDANT'S DEFENSE IN COURT
CASES 17-10629, 17-10630, 17-10631, 17-10632 AND 18-10535-FY

NOW COME the People of the State of Michigan, by BERNARD J. COPPOLINO, Bay County Assistant Prosecutor, and answers Defendant's Emergency Motion For Return Of Property Stolen From Defendant By Police In These Cases For The Purpose Of Hindering This Defendant's Defense In Court Cases 17-10629, 17-10630, 17-10631, 17-10632 and 18-10535-FY as follows:

1. The People first note that this Court has no current jurisdiction over 74th District Court Case #18-10535-FY.

2. In his Motion Defendant claims that this Court is "in cooperation with the Prosecutor's Office – cheating with everything!" and accuses the Court of "sending cops to [his] home to break [his] glasses blinding [him] and stealing [his] computer. The People categorically deny cooperating with the Court or "cheating" in the prosecution of these cases. The People also categorically deny that this Court had anything to do with execution of the search warrant in August 2018 at Defendant's residence'

How CAN COPPOLINO "CATEGORICALLY DENY" ANYTHING ON BEHALF OF THE COURT?

3. As best as the People can determine, the purpose of Defendant's Motion is to obtain return of certain items seized by law enforcement at the execution of a search warrant at Defendant's residence in August 2018. The People have already communicated to Defendant by letter dated September 18, 2018 that this writer has

Pg 1 of 2

(A)

2/004

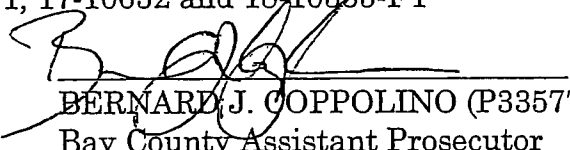
already directed that the following items seized during the execution of said search warrant be placed in Defendant's property at the Bay County Jail:

- Item 24: ASUS computer
- Item 25: WD external hard drive
- Item 26: Seagate external hard drive
- Item 47: iPhone6

Further, as communicated in that letter this writer has also directed that the following items seized during the execution of the search warrant at Defendant's residence last year (and which have been held at the Bay County Jail since July 3, 2018 awaiting him to pick them up) be placed in Defendant's property at the Bay County Jail:

- Item 46: Samsung Silver Cell Phone
- Item 50: White Apple iPhone 5 with cracked screen
- Item 64: Radio/TV/VCR hard drive
- Item 86: Nikon camera
- Item 97: Zmodo hard drive 500 GB camera
- Item 100: ASUS laptop computer Serial #D6N0C4637870254.

WHEREFORE, the People pray that this Court DENY Defendant's Emergency Motion For Return Of Property Stolen From Defendant By Police In These Cases For The Purpose Of Hindering This Defendant's Defense In Court Cases 17-10629, 17-10630, 17-10631, 17-10632 and 18-10535-FY


BERNARD J. COPPOLINO (P33577)
Bay County Assistant Prosecutor

Dated: September 24, 2018

Pa 2 of 2

15

2/004



BAY COUNTY PROSECUTING ATTORNEY NANCY E. BORUSHKO

1 PAGE COMPLAINT EXHIBIT
005

Victim's Rights Advocates

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Jordan E. Case
Bernard J. Coppolino
Michael A. Huber
Thomas J. Hausmann

October 2, 2018

Theodore Visner
Bay County Jail
503 Third
Bay City, MI 48708

HAND DELIVERED TO
T. VISNER ON 10-4-18
AT A SURPRISE HEARING! ON

Re: People v THEODORE VISNER
18th Circuit Court Cases #17-10629-FH
#17-10630-FH
#17-10631-FH
#17-10632-FH

Dear Mr. Visner:

Be advised that I have directed that the following items seized during the execution of the search warrant at your residence last year be placed in your property at the Bay County Jail along with the other electronic items listed in my letter of September 18, 2018:

- Item 47: Black Apple iPhone 5 (64 GIG)
- Item 48: Black Apple iPhone 5

These items were not previously included in the previous placements as they were password protected and therefore never downloaded.

Very truly yours,

Handwritten signature of Bernard J. Coppolino.
BERNARD J. COPPOLINO
Bay County Assistant Prosecutor

THIS DID NOT NULLIFY THE COURT
ORDER TO PRODUCE THEM AND ITEM 94
IS STILL MISSING AS OF
NOV 1, 2018, [Signature]

cc: Judge Harry P. Gill
Bruce K. Mannikko

BAY COUNTY COURT FACILITY, 1230 WASHINGTON AVE., STE. 768, BAY CITY MI 48708

TELEPHONE (989) 895-4185 FAX (989) 895-4167
TDD [HEARING IMPAIRED] (989) 895-2059



1/005

SUPPLEMENTAL (SUP.001)

EXHIBIT 006

A SUPPLEMENTAL toBAY COUNTY JAIL
PRISONER

GRIEVANCE - TV.001

11-02-18

WITNESSES EXIST THAT WILL TESTIFY UNDER OATH THAT WHEN THIS PROPERTY THAT WAS HELD BY CAPTAIN STEWART WAS TURNED OVER TO THEM WHILE MY JURY WAS OUT FOR DELIBERATION ON 10-26-18 THAT MY COMPUTER HAD A POWER CORD AND THAT ONE OF THEM WAS ABLE TO BE TURNED ON UNDER IT'S OWN POWER AND HAD **20%** REMAINING ON THE BATTERY. VIDEO AND PICTURES TAKEN AFTER PROPERTY WAS TURNED OVER BY WITNESSES WITH REGARD TO THIS PROPERTY, THE CORDS AND % ON BATTERIES.

ADDITIONALLY THERE ARE PROPERTY ITEMS MISSING FROM WHAT WAS TURNED OVER ON 10/26/18 TO DANIELLE AUSTIN. THE LIST OF ITEMS THAT WAS CLAIMED BY BERNARD COPPOLINO TO BE AT THE JAIL IS DIFFERENT THAN THE ITEMS PICKED UP. BAY CO. SHERIFF DEPUTY DOYLE CLAIMED THAT EVERYTHING BEING HELD WAS BEING TURNED OVER TO DANIELLE AUSTIN WHICH SHOULD HAVE INCLUDED ALL THE ITEMS IN EXHIBIT 003 AND EXHIBIT 005 AND LISTED AS FOLLOWS:

- | | |
|------------|-------------|
| ① ITEM 24: | ⑥ ITEM 50: |
| ② ITEM 25: | ⑦ ITEM 64: |
| ③ ITEM 26: | ⑧ ITEM 80: |
| ④ ITEM 47: | ⑨ ITEM 97: |
| ⑤ ITEM 46: | ⑩ ITEM 100: |

FROM EXHIBIT 003

- | |
|------------|
| ① ITEM 47: |
| ② ITEM 48: |

FROM EXHIBIT 005

12 PROPERTY
ITEMS IN
TOTAL BUT ITEM
#47 IS LISTED
TWICE.

ACCORDING TO THE WORK SIGNED BY COPPOLINO, ITEM #47 IS LISTED IN "EXHIBIT 003" AS AN "iPhone 6".

ACCORDING TO THE PAPERWORK SIGNED BY COPPOLINO, ITEM #47 IS LISTED IN "EXHIBIT 005" AS A "BLACK APPLE iPhone 5 (64GB)".

NOTABLY, SIGNIFICANT DISCREPANCIES EXIST IN THE BAY COUNTY ASSISTANT PROSECUTOR'S CLAIMS WITH REGARD TO THEODORE J. VISNER'S PROPERTY THAT VISNER WAS AUTHORIZED TO HAVE ACCESS TO BY COURT ORDER BUT WAS NEVER ALLOWED TO BY CPT. STEWART.

CAPTAIN STEWART'S REFUSAL TO OBEY THE SIGNED COURT ORDER DENIED ME THE ABILITY TO MAKE IT KNOWN TO THE COURT THAT THE PROSECUTOR WAS STILL FAILING TO PRODUCE COURT ORDERED DISCOVERY.

COMMUNICATIONS IN THE JAIL BETWEEN INMATES

JAIL AND JAIL ADMINISTRATION TAKES PLACE ALMOST ENTIRELY BY "JAIL KITES" DELIVERED / OR NOT BY THE CORRECTIONS OFFICERS THAT MAKE THE ROUNDS EVERY HOUR OR SO.

PAGES 1 (C) ARE HAND WRITTEN COPIES OF KITES THAT WERE SUBMITTED TO JAIL ADMIN AND THE DIFFERENT DATES THE KITES WERE WRITTEN AND SUBMITTED TO JAIL STAFF.

THE FIRST KITE ON PAGE 20 WAS RE-WRITTEN AND SUBMITTED 6 DIFFERENT TIMES IN THE SAME EXACT FORMAT ON 4 DIFFERENT DATES. I HAVE NOTICED THAT JAIL STAFF IS ON A 12 / 12 ROTATION SO THAT AT A MINIMUM THERE ARE TWO ADMINISTRATORS WORKING AT DIFFERENT TIMES IN THE SAME 24 HOUR PERIOD AND THIS IS WHY SOME KITES WERE SUBMITTED MORE THAN ONCE PER DAY. KITES WRITTEN AND USED WITHOUT HAVING HAND MADE COPIES HAVE ABSOLUTE ZERO ACCOUNTABILITY. HAND COPIED KITES AREN'T MUCH BETTER UNLESS YOU NOTIFY THE JAIL STAFF AS TO WHAT YOU ARE DOING. I DID LET THE JAIL STAFF KNOW THAT ALL MY KITES WERE BEING CREATED IN DUPLICATE FOR MY RECORDS NEAR THE END OF SEPTEMBER.

IN THE PROPERTY TURNED OVER TO DANIELLE AUSTIN - SHE USED THE POWER CORD THAT WAS WITH THE ONE COMPUTER TO

CHARGE AND USE THE 2ND LAPTOP COMPUTER AND BOTH ASUS LAPTOP COMPUTERS WERE KEPT FROM (ME) THEODORE J. VISNER BY CAPTAIN TROY STEWART AND BY HIS DIRECTION TO THE BAY CO. JAIL STAFF.

DANIELLE AUSTIN INFORMED ME IN THE JAIL ON 11-01-18 THAT THE PROPERTY SHE PICKED UP FROM DEPUTY DOYLE AT THE BAY CO. JAIL WAS MARKED ENTIRELY DIFFERENT THAN THE PROPERTY IS REFERRED TO BY BERNARD COPPOLINO AND THE PROSECUTION. DANIELLE AUSTIN ALSO CONFIRMED ON 11-01-18 THAT THEODORE VISNER'S 64 GIG iPhone WAS NOT TURNED OVER TO HER WITH EVERYTHING ELSE. THIS WAS CONFIRMED IN COURT ON 11-2-2018 WHEN DANIELLE AUSTIN WAS SWORN IN AND TESTIFIED UNDER OATH THAT THE 64 GIG iPhone WAS NOT TURNED OVER TO HER ON OCT 26, 2018.

PREPARED BY

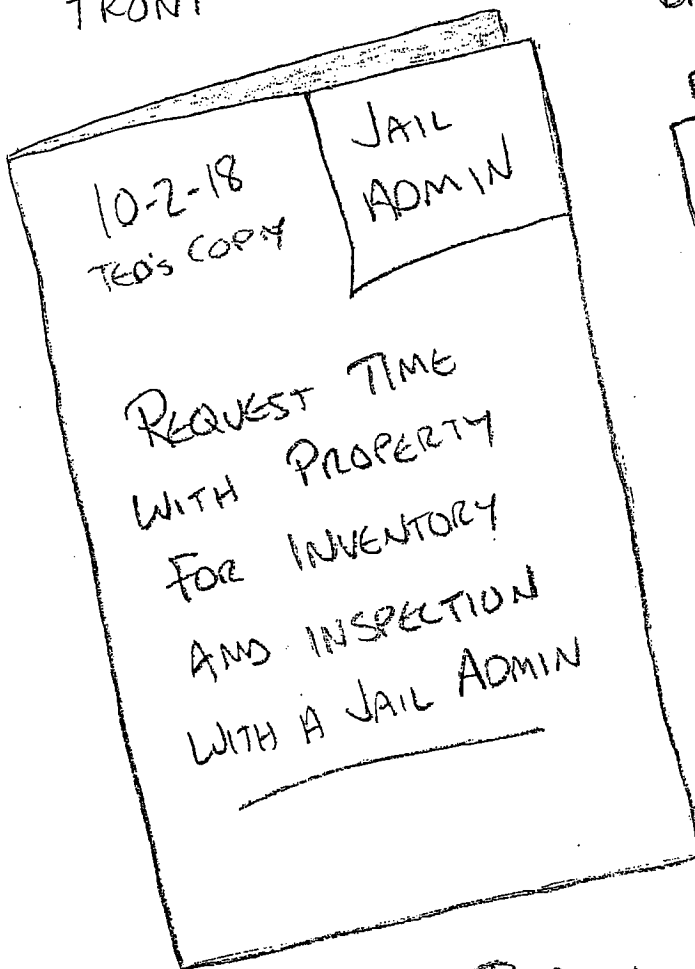


THEODORE JOSEPH VISNER

11-2-18

DATE

FRONT



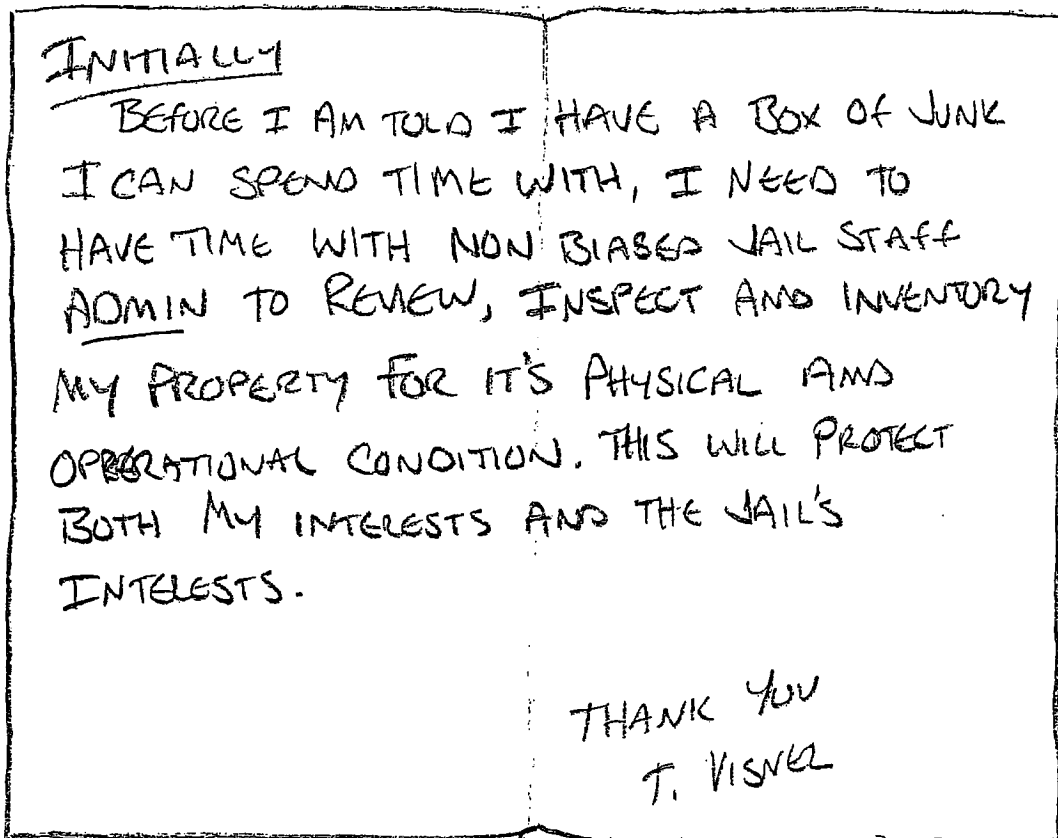
BACK

EXHIBIT 007

SUBMITTAL
RECORDS

DATE	QTY SECT
10-1-18	1
10-2-18	11
10-3-18	11
10-9-18	1

INSIDE



ACTUAL SIZE
COPIES FROM
ORIGINAL BY
HAMS IN JAIL
BY T. VISNER
ON NOV 1, 2018

FRONT

TBS'S COPY
10-9-18
WELL ISN'T
THIS FUN!

JAIL
ADMIN
CAPT. TROY

I HAVE MORE THAN 20
KITE REQUESTS TO
SPEND TIME WITH
MY PROPERTY AND
HAVE YET
TO SPEND A
SINGLE MINUTE WITH

BACK

SENT
10-9-18 1
10-10-18 11

TIMES

NEVER A REPLY

INSIDE

IT AS ORDERED BY THE COURT
WHY?
WHY CAPTAIN STEWART?

T. VISNER

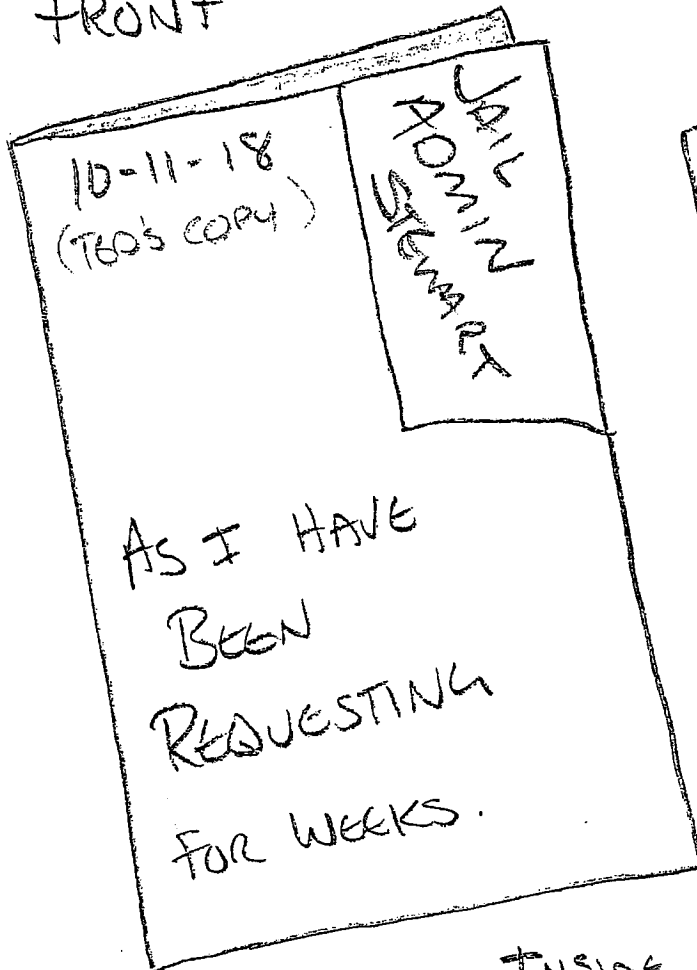
ACTUAL SIZE
COPIED FROM
ORIGINAL BY
HAND IN JAIL
BY T. VISNER
ON NOV 1, 2018

(21)

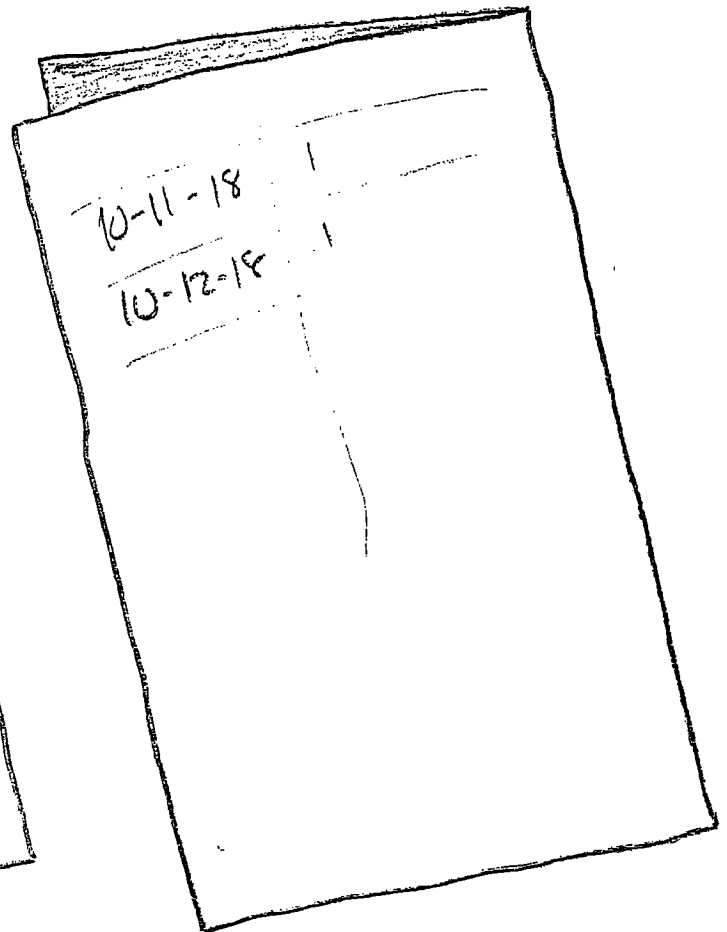
JAIL KITES

PAGE 2 of 5

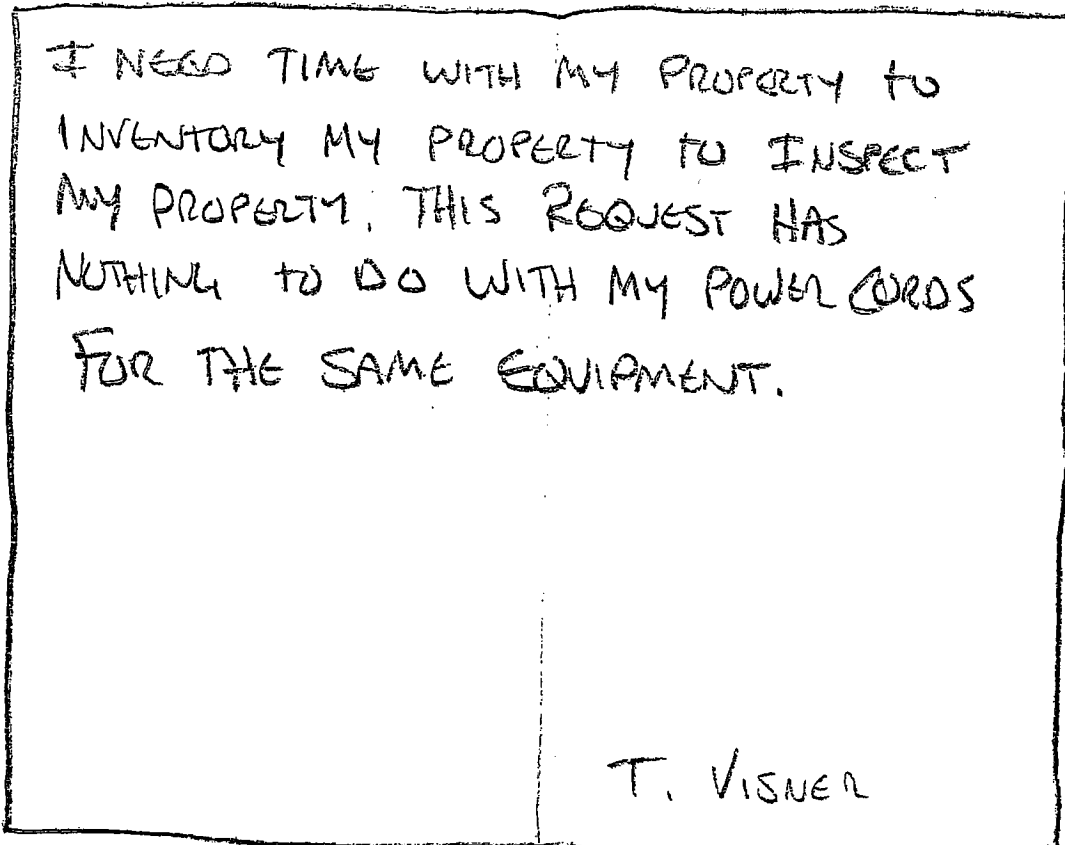
FRONT



BACK



INSIDE



ACTUAL SIZE
COPIED FROM
ORIGINAL BY
HAND IN JAIL
BY T. VISNER
ON NOV 1, 2018

(22)

JAIL KITES

PAGE 3 OF 5

FRONT

10-14-18
JAIL
ADMIN
AND
C/STEWART

AS I HAVE BEEN
REQUESTING FOR
WEEKS - AS YOUR
PRISONER
ATTEMPTING TO
DEPEND MYSELF -

BACK

10-14-18 | 1
10-15-18 | 11

INSIDE

I NEED TIME WITH MY PROPERTY TO
INVENTORY MY PROPERTY AND TO INSPECT
MY PROPERTY, THIS REQUEST HAS NOTHING
TO DO WITH POWER CORDS FOR THE
SAME EQUIPMENT.

I HOPE YOU HAVE A REALLY GREAT
REASON FOR DENYING ME COURT ORDERED
ACCESS TO MY EQUIPMENT
IN YOUR CARE!

T. VISNER

ACTUAL SIZE
COPIED FROM
ORIGINAL BY
HAND IN JAIL
BY T. VISNER
ON NOV 1, 2018

FRONT

10-14-18
TLO'S COPY

SAT
OLIVER

THE COMMANDER OF
THIS FACILITY IS
WORKING TO BRING
ME HARM.
CONTRARY TO ORAL
ORDERS OVER 30 DAYS
OLD AND WRITTEN
ORDERS NEARLY
AS OLD.

BACK

10-14-18 1
10-15-18 1

NEVER HAD FROM
OLIVER OR ANYONE...

INSIDE

CAPTAIN STEWART HAS BEEN
DENYING ME ACCESS TO MY EQUIPMENT
CONTRARY TO ORDERS BY THE COURT.
CAPTAIN STEWART IS DENYING ME
THE ABILITY TO DEFEND MYSELF.
CAPTAIN STEWART IS ALLEGED TO HAVE
SENT EMAIL TO SGT'S & C/O'S TELLING THEM
TO INTERCEPT MY FEDERAL MAIL AND KEEP
THIS MAIL FROM ME. THESE ACTS
ARE CRIMES AGAINST ME.
COME SEE ME — T. VISNER

ACTUAL SIZE
COPIES FROM
ORIGINAL BY
HAND IN JAIL
BY T. VISNER
ON NOV 1, 2018

(24)

JAIL KITES

PAGE 5 OF 5

GRUANCE EXHIBIT 008

AFFIDAVIT

As a resident in the county of Bay within the state of Michigan,
Danielle Austin personally approached me, the undersigned Notary, and
 made his/her sworn testimony in a general affidavit, that the following statement is
 completely factual and true to the best of his/her belief and knowledge.

Statement:

I Danielle Austin of 856 West Cody Estey Rd. Mt. Forrest Township, Pinconning MI 48650 hereby certify that on October 26th, 2018 David Chandler and I went to the Bay County Sheriff's Department at approximately 12:30 pm. Upon arriving I went to the front desk requesting to receive Theodore Visner's Personal Property. I was met by Deputy Doyle and Theodore's personal property, he stated that we had paper work to sign in order for it to be released to me. He had an itemized list of everything that was being returned to me and we preceeded to go through everything to make sure that everything was there to be turned over to me. There was one paper bag, case No. 1810906439 that was sealed unlike the other items that were in clear plastic bags that I requested to open in front of the deputy so I could visibly see what was actually in the bag and he agreed that that would be fine. Upon opening it there was a Asus laptop computer and a external hard drive. I then carried the poperty to David chandlers vehicle where it stayed till he dropped me back at my house and set the property on the desk in the garage untouched till I brought it into the house at Approximately 8:30 that same evening.

Upon bringing the property into the house I proceeded to do a video recording of Thoedore Visner's personal property with Trindle L. Jones as witness. I went through each Item one by one. One Item in particular, BNT-0000236-2017-0100 caught my eye as it was Theodore Visners Other laptop computer in a sealed clear bag that did have a power cored with it. I asked Trindle if he would open the bag while I was filmng and pull out the laptop and cord and open the computer to see if it would turn on and it did. In the evidence I obtained from the sheriffs department there was in fact two Asus laptop computers and one power cord that worked with both computers.

I certify that this is a true and accurate statement to the best of my knowledge.

Affiant Signature:Danielle Austin**Date Signed:**the 15th of November 20 18

Sworn and subscribed to before me on this day, 15th of November 20 18

Deborah S Ancel
Notary Public

Deborah S Ancel
 Notary Public, Arenac County, Michigan
 My Commission Expires: June 28, 2019
 Acting in Bay County, Michigan

(25)

AFFIDAVIT

GRIEVANCE EXHIBIT 009

AFFIDAVIT

As a resident in the county of Bay within the state of Michigan,
Trindle Lee Jones personally approached me, the undersigned Notary, and
made his/her sworn testimony in a general affidavit, that the following statement is
completely factual and true to the best of his/her belief and knowledge.

Statement:

I, Trindle Lee Jones of 856 West Cody Estey Road Pinconning MI 48650, hereby swear
that on Oct 26, 2018, I assisted Danielle Austin in producing a video of our opening of
evidence bags related to the two BAYANET raids on our home.

As evident in the video, all the bags were contained in a "Bankers Box", marked Tag No:
P18000127-1 and Case No:1810906146.

While opening the various bags we opened one paper bag, marked Tag No: P18-162-
1, that included an Asus laptop, marked BNT-0000224-2018-0024 and Case
No:1810906439.

In another plastic bag marked BNT-0000236-2017-0100, We found the computer and
power cord as described on the label.

The power cord works with both computers.

Affiant Signature:



Date Signed:

the 1st of November 20 18

Sworn and subscribed to before me on this day, 1st of November 20 18



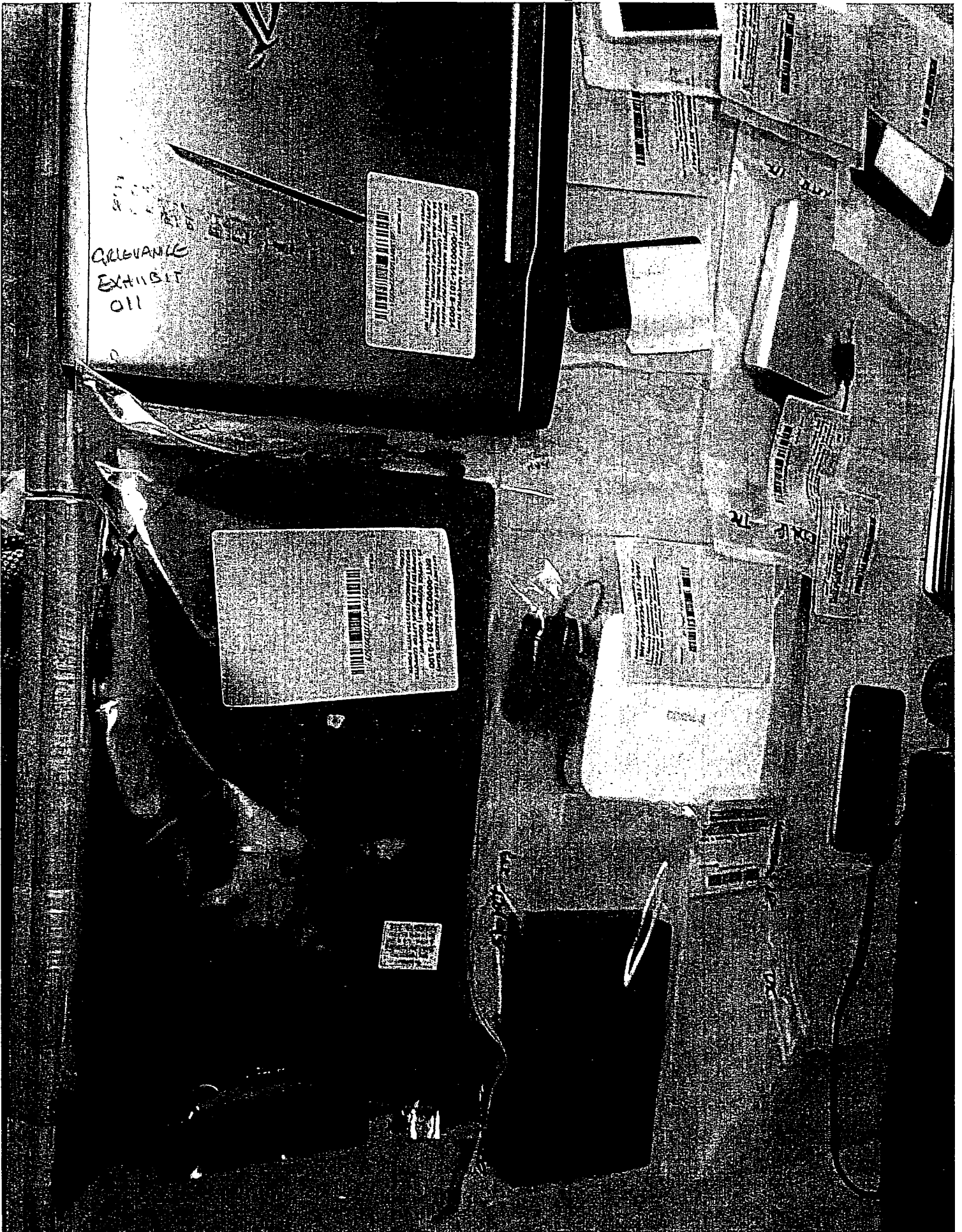
Notary Public

Deborah S Ancel
Notary Public, Arenac County, Michigan
My Commission Expires: June 28, 2019
Acting in Bay County, Michigan

26

AFFIDAVIT

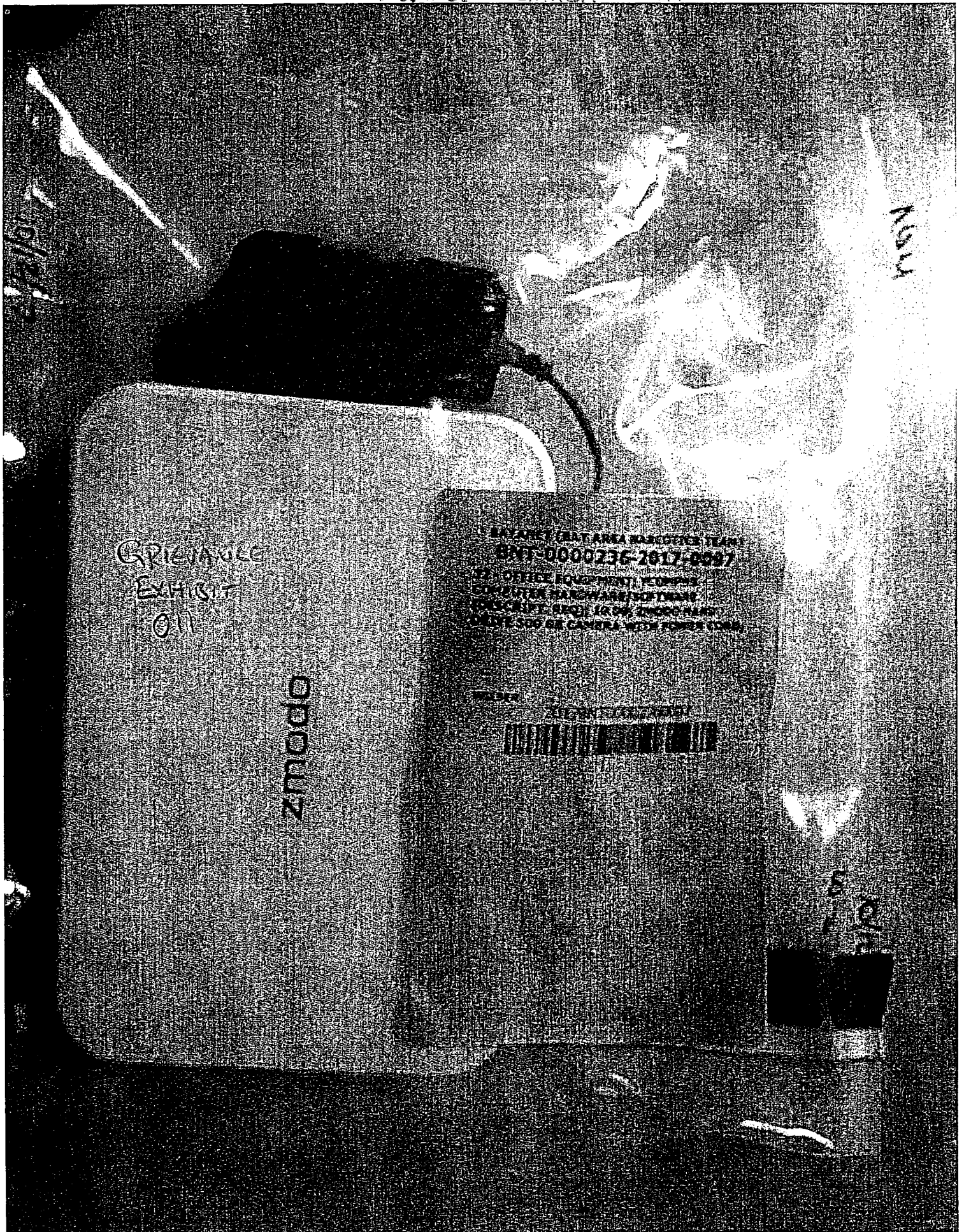
GRIEVANCE EXHIBIT 010



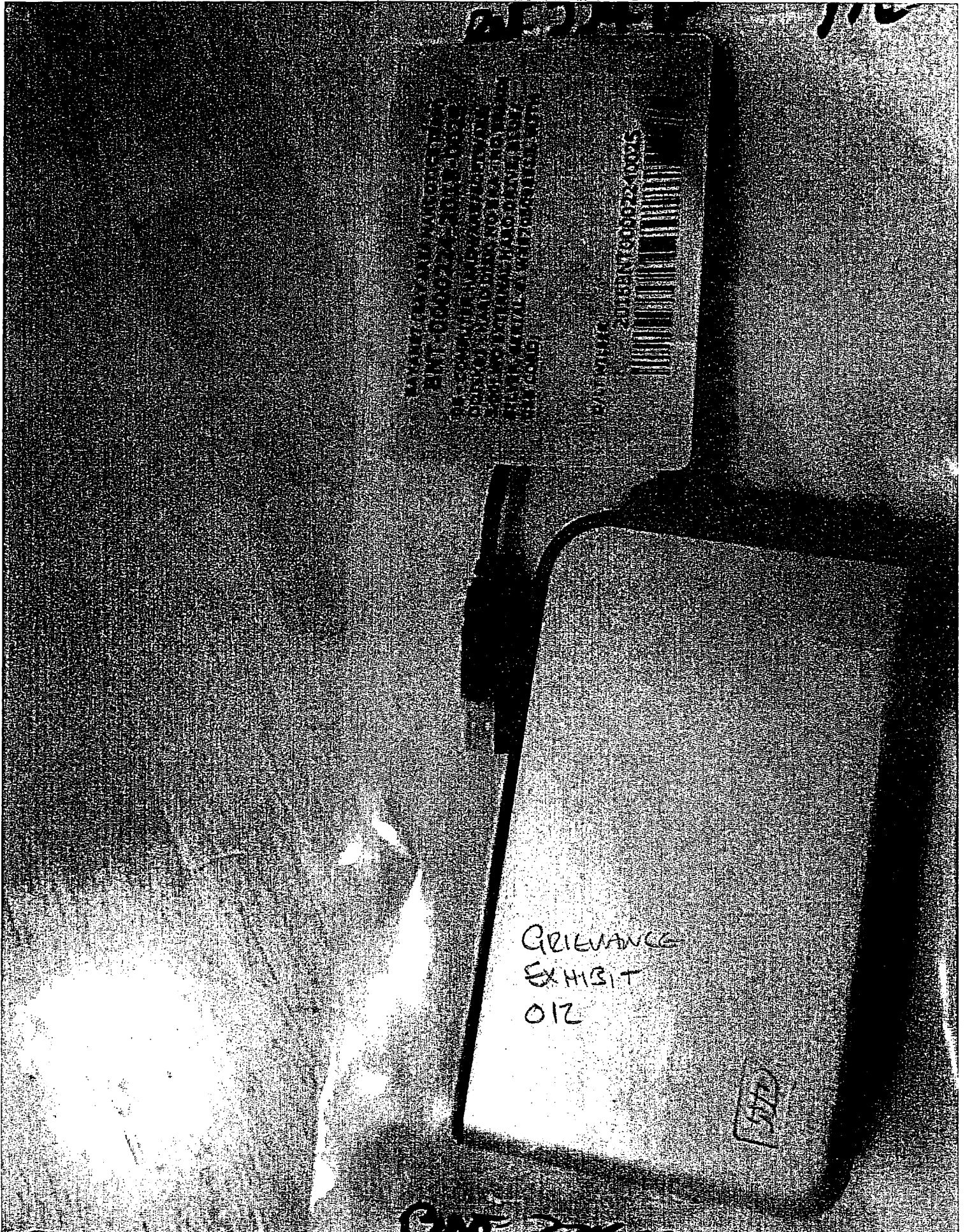
(27)

PROPERTY

GRIEVANCE EXHIBIT 011



GRIEVANCE EXHIBIT 012



GRIEVANCE
EXHIBIT
012

572

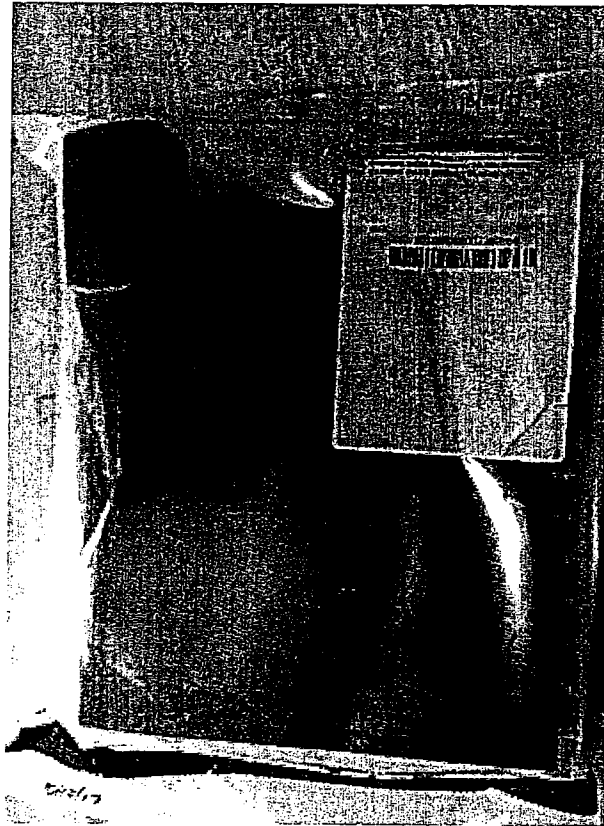
GRIVANCE EXHIBIT 013

EXHIBIT
013

NAVANTIA, INC. (NANTIA, NANTIA, TEAM)
BNT-0000236-2017-0100
333 PINE STREET, SUITE 100, BOSTON, MA 02111
CONTACT: (617) 452-1000 FAX: (617) 452-1001
WWW.NANTIA.COM
WELSH 2017100002360100



GRIEVANCE
EXHIBIT
014



ITEM 64 w/POWER CORD!
RADIO /TV/VCR HARD DRIVE

STATE OF MICHIGAN

18TH JUDICIAL CIRCUIT

EXHIBIT 015

ACTION IN COURT

17-10629-FH

Defendant Visner, Theodore Joseph	DEPUTY T. Visner - IPP	STAND BY B. Cappellano	CASE NO. 17-10630-FH 17-10631-FH 17-10632-FH
Recorder JM	Recording No. 13426	PROS. B. Cappellano	DATE 9-27-2018

<input type="checkbox"/> Plea <input type="checkbox"/> Sentencing <input type="checkbox"/> Jury Trial (W/H) <input type="checkbox"/> Probation Violation <input checked="" type="checkbox"/> Other: Motions <input checked="" type="checkbox"/> Deft. present <input type="checkbox"/> Deft. did not appear	Verdict/Plea <input type="checkbox"/> Amended Info Count: 1. _____ 5. _____ 2. _____ 6. _____ 3. _____ 7. _____ 4. _____ 8. _____ <input type="checkbox"/> HOA: _____ <input type="checkbox"/> Probation revoked	Bond: _____ CONDITIONS: <input type="checkbox"/> DNA <input type="checkbox"/> Fingerprints <input type="checkbox"/> 511 Assessment <input type="checkbox"/> Cooperate w/Probation Dept. OTHER: _____ VOP Plea Date: _____ at _____ AM/PM VOP Hrg. Date: _____ at _____ AM/PM Sentencing: _____ at _____ AM/PM <input type="checkbox"/> Waived counsel <input type="checkbox"/> Referred OAC <input type="checkbox"/> Trial dates adjourned <input type="checkbox"/> Remanded to custody <input type="checkbox"/> Released
--	---	---

PROBATION: ☐ Reinstated ☐ HYTA ☐ Delay ☐ 7411
Term: _____ Years Extended to expire: _____
Extended additional: _____ year(s)
Fine \$ _____ Costs \$ _____ Restitution \$ _____
at \$ _____/month starting _____ ☐ 30 days from release.
Supervision Fee \$ _____ at \$ _____ per month
Drivers License suspended/revoked for _____
☐ Eligible for restricted license per statute
Probation agent present: _____

☒ Crime Victim Assessment and State Costs - per statute
Jail: _____ days starting _____ w/credit for _____ days
served. _____ days deferred to _____ / further order.
Release: ☐ Work ☐ School ☐ Inpatient when bed available
☐ EM _____ days ☐ Subs. abuse counseling In/Out Patient ☐ G.E.D.
☐ Drug/Alcohol Testing ☐ S.A.I. ☐ Tri-Cap ☐ Zero Tolerance
☐ Comm. Service _____ days/hours ☐ AMH ☐ Anger Management
☐ No contact with: ☐ Victim(s) ☐ Co-defendant(s)
☐ No alcohol/drugs/intoxicants

ADDITIONAL TERMS IN WRITTEN ORDER

PRISON/JAIL	MINIMUM	MAXIMUM
_____	_____	_____
_____	_____	_____
_____	_____	_____

☒ Crime Victim Assessment/State Costs - Per Statute
Credit for _____ days ☐ No objection to S.A.I.
Concurrent to: _____
Consecutive to: _____
Fine \$ _____ Costs \$ _____ Restitution \$ _____

NOTES/FURTHER ORDERS:

Motions heard	Result
Def. Emergency Motion For	_____
Return of Property Stolen from	_____
Defendant etc.	_____

Court orders that def can have access to his property @ jail when he is working on his case @ the jail. Court will issue order

SO ORDERED: _____

32 *Cover Order*

P# **26321**

Bench warrant to be removed from LEIN.
Copy sent via fax to Bay County Sheriff
Dept. on _____ by _____

EXHIBIT 002

Appeal to NSC

- 2nd Appeal - The Review Issues
- ① 1st Unconstitutional Order
- ② 2nd CCA Failure to Order Time to Cure Petitioner's

Appeal ISSUES EVOLUTION

Re-DO 2nd Appeal IN-TOTAL w/ Brief

Motion for Immediate Consideration w/ Motion for Stay

① News Rea. Warrant

② Move to Dismiss

BRADY VIOLATION

③ Prosecutor Rescues Discovery

④ Notice of Special Appearance

MANUELITO - NOT ESTABLISHED

⑤ Jurisdictional Challenge

⑥ Pay Advice 1805 Aug 150

⑦ Notice to MSP Notice to Colorado

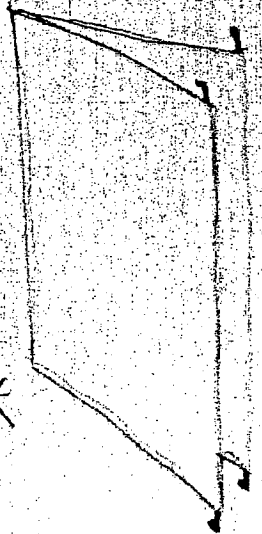
⑧ Summary & Conclusions Based on MSP

⑨ Construction of MSP

⑩ Dec 1800
⑪ Dec 1800
⑫ Dec 1800
⑬ Dec 1800

EXHIBIT 003

Keep all
document
that have dates



* Every Motion Should Have

* John Bendale
witnessed. Affiant
found up

⑤ Motion to Lift Bond Conditions

Two Appeal Briefs

TO DO

① Order to Obtain Counsel x 3

② MSF-OSC

③ New Rea-

④ Motion to Recross Witnesses

W/ Affiant

⑤ ~~Recreate~~ ~~Recreate~~ ~~Staff~~ ^{DATE} ^{Signed}

⑥ Schedule Motion Hearings

⑦ Motion to Strike the Complaint ^⑧ ^⑨ ^⑩ ^⑪ ^⑫ ^⑬ ^⑭ ^⑮ ^⑯ ^⑰ ^⑱ ^⑲ ^⑳ ^㉑ ^㉒ ^㉓ ^㉔ ^㉕ ^㉖ ^㉗ ^㉘ ^㉙ ^㉚ ^㉛ ^㉜ ^㉝ ^㉞ ^㉟ ^㊱ ^㊲ ^㊳ ^㊴ ^㊵ ^㊶ ^㊷ ^㊸ ^㊹ ^㊺ ^㊻ ^㊼ ^㊽ ^㊾ ^㊿ ¹ ² ³ ⁴ ⁵ ⁶ ⁷ ⁸ ⁹ ¹⁰ ¹¹ ¹² ¹³ ¹⁴ ¹⁵ ¹⁶ ¹⁷ ¹⁸ ¹⁹ ²⁰ ²¹ ²² ²³ ²⁴ ²⁵ ²⁶ ²⁷ ²⁸ ²⁹ ³⁰ ³¹ ³² ³³ ³⁴ ³⁵ ³⁶ ³⁷ ³⁸ ³⁹ ⁴⁰ ⁴¹ ⁴² ⁴³ ⁴⁴ ⁴⁵ ⁴⁶ ⁴⁷ ⁴⁸ ⁴⁹ ⁵⁰ ⁵¹ ⁵² ⁵³ ⁵⁴ ⁵⁵ ⁵⁶ ⁵⁷ ⁵⁸ ⁵⁹ ⁶⁰ ⁶¹ ⁶² ⁶³ ⁶⁴ ⁶⁵ ⁶⁶ ⁶⁷ ⁶⁸ ⁶⁹ ⁷⁰ ⁷¹ ⁷² ⁷³ ⁷⁴ ⁷⁵ ⁷⁶ ⁷⁷ ⁷⁸ ⁷⁹ ⁸⁰ ⁸¹ ⁸² ⁸³ ⁸⁴ ⁸⁵ ⁸⁶ ⁸⁷ ⁸⁸ ⁸⁹ ⁹⁰ ⁹¹ ⁹² ⁹³ ⁹⁴ ⁹⁵ ⁹⁶ ⁹⁷ ⁹⁸ ⁹⁹ ¹⁰⁰ ¹⁰¹ ¹⁰² ¹⁰³ ¹⁰⁴ ¹⁰⁵ ¹⁰⁶ ¹⁰⁷ ¹⁰⁸ ¹⁰⁹ ¹¹⁰ ¹¹¹ ¹¹² ¹¹³ ¹¹⁴ ¹¹⁵ ¹¹⁶ ¹¹⁷ ¹¹⁸ ¹¹⁹ ¹²⁰ ¹²¹ ¹²² ¹²³ ¹²⁴ ¹²⁵ ¹²⁶ ¹²⁷ ¹²⁸ ¹²⁹ ¹³⁰ ¹³¹ ¹³² ¹³³ ¹³⁴ ¹³⁵ ¹³⁶ ¹³⁷ ¹³⁸ ¹³⁹ ¹⁴⁰ ¹⁴¹ ¹⁴² ¹⁴³ ¹⁴⁴ ¹⁴⁵ ¹⁴⁶ ¹⁴⁷ ¹⁴⁸ ¹⁴⁹ ¹⁵⁰ ¹⁵¹ ¹⁵² ¹⁵³ ¹⁵⁴ ¹⁵⁵ ¹⁵⁶ ¹⁵⁷ ¹⁵⁸ ¹⁵⁹ ¹⁶⁰ ¹⁶¹ ¹⁶² ¹⁶³ ¹⁶⁴ ¹⁶⁵ ¹⁶⁶ ¹⁶⁷ ¹⁶⁸ ¹⁶⁹ ¹⁷⁰ ¹⁷¹ ¹⁷² ¹⁷³ ¹⁷⁴ ¹⁷⁵ ¹⁷⁶ ¹⁷⁷ ¹⁷⁸ ¹⁷⁹ ¹⁸⁰ ¹⁸¹ ¹⁸² ¹⁸³ ¹⁸⁴ ¹⁸⁵ ¹⁸⁶ ¹⁸⁷ ¹⁸⁸ ¹⁸⁹ ¹⁹⁰ ¹⁹¹ ¹⁹² ¹⁹³ ¹⁹⁴ ¹⁹⁵ ¹⁹⁶ ¹⁹⁷ ¹⁹⁸ ¹⁹⁹ ²⁰⁰ ²⁰¹ ²⁰² ²⁰³ ²⁰⁴ ²⁰⁵ ²⁰⁶ ²⁰⁷ ²⁰⁸ ²⁰⁹ ²¹⁰ ²¹¹ ²¹² ²¹³ ²¹⁴ ²¹⁵ ²¹⁶ ²¹⁷ ²¹⁸ ²¹⁹ ²²⁰ ²²¹ ²²² ²²³ ²²⁴ ²²⁵ ²²⁶ ²²⁷ ²²⁸ ²²⁹ ²³⁰ ²³¹ ²³² ²³³ ²³⁴ ²³⁵ ²³⁶ 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SWORN

AFFIDAVIT OF TRUTH

OCT 2, 2018
DATEEXHIBIT
004

I, THEODORE JOSEPH VISNOL, SWEAR AND ATTEST TO THE TRUTH AND ACCURACY OF THE INFORMATION CONTAINED HEREIN UNDER PENALTY OF PERJURY.

① YOUR AFFIANT STATES

THAT ON OCTOBER 2, 2018 AT ABOUT 11:25PM THAT THE ATTACHED DOCUMENT (1-PAGE HANDWRITTEN ON BOTH SIDES) WAS GIVEN TO CORRECTIONS OFFICER WITH THE NAME "DANIELS" ON A PATCH OVER HIS RIGHT BREAST POCKET FOR DELIVERY TO JUDGE GILL'S OFFICE AS DIRECTED ON THE DOCUMENT'S REAR FACE. "EXHIBIT A"

② YOUR AFFIANT FURTHER STATES THAT C/O DANIELS RETURNED TO YOUR AFFIANT'S CELL IN DORM F AND INSISTED YOUR AFFIANT TAKE BACK THE DOCUMENT AT ABOUT 11:30PM CLAIMING THAT "HE DOESN'T DO THIS".

③ YOUR AFFIANT HAD NO CHOICE, AS A PRISONER IN THE FACILITY, BUT TO TAKE THE DOCUMENT BACK FROM C/O DANIELS.

④ THIS STUBBORN OPPOSITION TO MY PARTICIPATION IN MY DEFENSE WHILE BEING HELD PRISONER AT THE BAY COUNTY JAIL IS TYPICAL.

⑤ YOUR AFFIANT CLAIMED IT A BLESSING TO HAVE A REAL CHAIR IN THE DORM ON 9-30-18 AND/OR 10-1-18 AND ON 10-2-18 THE SAME CHAIR WAS REMOVED FROM DORM F.


⑥ YOUR AFFIANT HAS AND CLAIMS THE RIGHT TO BE CONSIDERED AND TREATED INNOCENT UNTIL PROVEN GUILTY

PAGE 1 OF 2 PLUS EXHIBIT (1PG)

EXHIBIT
004 (3pg)

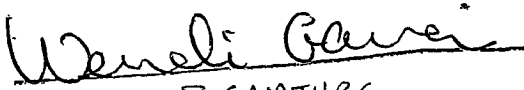
- ⑦ YOUR AFFIANT IS AND HAS BEEN HELD TO THIS "HOSTILE" ENVIRONMENT NOW FROM 8-8-18 THROUGH TODAY, 10-2-18 - 56 CONSECUTIVE DAYS.
- ⑧ YOUR AFFIANT HAS STILL NOT BEEN INFORMED OF THE CHARGES BY SPECIFICITY REQUIRED IN MCR 6.101.
- ⑨ YOUR AFFIANT WAS JUST VISITED BY C/O DANIALS AND DANIELS ASKED IF I HAD ANY "PROPER DOCUMENTS FOR THE COURT" FOR HIM TO TAKE AT 2:23PM AND I SAID JUST THE SAME ONES AND HE LEFT WITHOUT TAKING THEM.
- ⑩ ⑨A - DOCUMENT ATTACHED WAS RE-CREATED AND DELIVERED THROUGH C/O JEAN / OCT 2, 2018 AT 5:30PM
- AS OF TODAY YOUR AFFIANT HAS STILL NOT BEEN ALLOWED TO SEE, HAVE OR VISIT ANY PROPERTY AND DIGITAL PROPERTY ORDERED ON MORE THAN ONE OCCASION BE ALLOWED YOUR AFFIANT BY MULTIPLE COURT ORDERS,
- ⑪ YOUR AFFIANT'S PARTICIPATION IN HIS DEFENSE IS BEING HINDERED IN ABOUT EVERY WAY IMAGINABLE AT TOTAL PREJUDICE TO YOUR AFFIANT.

THIS AFFIDAVIT, CREATED IN JAIL, IS MADE ON MY PERSONAL KNOWLEDGE AND, IF SWORN AS WITNESS, CAN TESTIFY COMPELANTLY TO THE FACTS STATED IN THIS AFFIDAVIT.

YOUR AFFIANT

Theodore J. Visner

10-2-18
DATE

SUBSCRIBED AND SWORN TO ME
ON THIS 2nd DAY OF OCT
2018.


NOTARY SIGNATURE

Wendi K. Garcia
Notary Public, Bay County, Michigan
My Commission Expires 4/11/2023
Acting in the County of Bay

PAGE 2 OF 2 PLUS EXHIBIT (1 PL)

AFFIDAVIT

Grievance Response

To: Theodore Visner

From: Captain Troy Stewart 

Date: December 6, 2018

Ref: Grievance dated Nov. 2, 2108, Received Dec. 5, 2018

Mr. Visner, I re-read through all of the jail kites received from you I have also re-read through each complaint and now grievance that you have provided. I have chronologically listed the sequence of events during your stay here at the Bay County Jail.

Sept. 27, 2018

Undersheriff Chris Mausolf talked to Circuit Judge Harry Gill about several items seized by BAYANET. From their conversation I was made aware that the seized items that you requested were now in the Bay County Sheriff's Office evidence room.

The Undersheriff wanted us to make sure all the phones are "disabled", and "in addition, all power cords are to be dropped off here by whomever Visner makes arrangements with".

Court Ordered: Case Nos.

17-10620-FH

17-10630- FH

17-10631-FH

17-10632-FH

- * "Necessary power cords for the above listed items/cases may be brought to the jail and Defendant will be allowed access to them under the conditions put forth in the court order".
- * "Wireless capability on phones/devices shall be disabled to prevent communication outside of the appropriate channels while Defendant is in custody".

TROY STEWART GRIEVANCE ANSWER Pa 1 of 3

Sept. 28, 2108 Myself along with Sergeant Martin went to inform you (Visner) that prior to you receiving these items we need to verify that the five phones are disabled and to do that you will have to have all of the related power cords dropped off. At this time you were also made aware that BAYANET had dropped off your property (for three separate charges) to the Bay County Sheriff's Office .

 I checked with the evidence officer to see if your things were prepared for you to use. I was informed that your things were still being inventoried and conjoined with your other property.

Oct. 8, 2018 Checked with the evidence officer to see if any of the power cords Had been dropped off, they had not.

Oct. 9, 2018 Received a kite from you stating "US mail not getting to me". We Do not hold mail, this complaint was deemed unfounded.

Oct. 10, 2018 Received your kite referencing the needed phones, still no power Cords or proof that the five phones had been disabled. Plain white Paper was provided to you for your legal preparation.

Oct. 11, 2018 I visited you along with Deputies Durrussel and Jean. I once again Advised you to have your power cords brought in.

Oct. 11, 2018 The evidence officer and myself inventoried the property seized from The following Bay County Sheriff's Office case numbers:

 1810906563
 1810906146
 1810906439

Oct. 12, 2018 You requested and was given access to your dvd's, a computer and a typewriter. You were also reminded again to have your power cords dropped off so that you could have the rest of your property.

Oct. 17, 2018 I received an invalid WRIT request from you, requesting a court date when one had already been set. I also received word that per one of your recent phone calls to "Danielle" you told her very specifically not to bring any computer power cords or phone power cords to the LEC you also told her not to bring you clothes for court.

Oct. 22, 2018 You asked Sergeant Sargeson about your equipment held in evidence, again you were told to have the power cords brought in, you efused to have them brought in. You asked why we couldn't just

Pg 2 of 3

provide them from IT, I explained to you that we were not going to take on that liability.

Oct. 23, 2018 You requested to work on your case, you were placed in the attorney room with a computer, 10 dvd's, your legal papers, and a typewriter.

Dec. 6, 2018 The Bay County Sheriff's Office has done everything expected of us to provide you with an area to prepare your legal defense and the opportunity to review your seized items. It was your choice not to have the needed power cords dropped off, it was also your decision to not provide proof that the phones were "disabled". Your complaint of mail tampering had no justification. The only exception to mail not being delivered would be on weekends and holidays. we do not hold any inmates mail from them unless it's a security risk, even then you would have been notified. Your complaints are unfounded.

Grievance denied

?
DATE

?
(WHO?)

mo

HUH?
WHO?
LOL!

Pa 3 of 3

STATE OF MICHIGAN
IN THE 18th CIRCUIT COURT FOR THE COUNTY OF BAY

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

vs

Case Nos. 17-10630-FH
17-10631-FH
17-10632-FH

THEODORE JOSEPH VISNER,
Defendant.

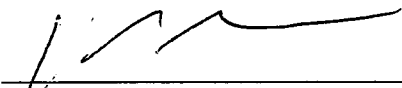
**ORDER DENYING DEFENDANT'S EMERGENCY
MOTION FOR BAIL BETWEEN TRIAL COURT
JUDGMENT AND DECISION OF APPELLATE COURT**

This matter comes before the Court upon Defendant's *Emergency Motion for Bail Between Trial Court Judgment and Decision of Appellate Court* filed December 19, 2018. The decision to grant bail pending appeal is within the Court's discretion. MCL 770.8. The Court has reviewed the motion and the applicable law and has determined that Defendant has not satisfied the criteria for release on an appeal bond. MCR 7.209; *People v Giacalone*, 16 Mich App 352; 167 NW2d 871 (1969).

Defendant's motion is DENIED.

IT IS SO ORDERED.

Dated: January 14, 2019


Hon. Harry P. Gill (P26321)
18th Circuit Court Judge

cc: Theodore Visner (#526348); RGC 3855 Cooper St.; Jackson, MI 49201-7547
Bay County Prosecutor
Bruce Mannikko, stand-by counsel

STATE OF MICHIGAN
COUNTY OF BAY
CLERK OF CIRCUIT COURT
A. LUCZAK
Deputy

AFFIDAVIT



BAY COUNTY JAIL STAFF
DENIES ACCESS TO COURT
ORDERED DEFENSE MATERIALS

NOW COMES DEFENDANT IN CASES 17-10629, 10630, 10631 AND 10632-FH-HG AND 18-10535-FY IN PRO PER AS YOUR AFFIANT IN THIS AFFIDAVIT STATING AS FOLLOWS, BEING OF SOUND MIND AND COMPETANT TO TESTIFY TO THE SAME UNDER OATH AND STATES THE FOLLOWING AS FACT AND TRUTH;

- ① THE BAY COUNTY JAIL STAFF REFUSED TO ALLOW YOUR AFFIANT COURT ORDERED ACCESS TO HIS COMPUTERS, HARD DRIVES, DIGITAL CAMERA AND CELL PHONES, ALL YOUR AFFIANT'S DIGITAL ELECTRONIC EQUIPMENT IN THE POSSESSION OF THE BAY COUNTY JAIL/SHERIFF'S OFFICE, AT ANY TIME BETWEEN THE COURT ORDER AND THE JURY STARTING DELIBERATIONS AT THE END OF YOUR AFFIANT'S TRIAL ON OCT 26, 2018.
- ② SEVERAL DOZEN WRITTEN REQUESTS AND SEVERAL DOZEN ORAL REQUESTS BY YOUR AFFIANT TO THE JAIL STAFF WERE MADE BY YOUR AFFIANT DURING THIS SAME TIME AND ALL REQUESTS WERE IGNORED OR YOUR AFFIANT WAS TOLD BY JAIL STAFF THAT ALL REQUESTS HAD TO DO WITH M PROPERTY HAD TO GO TO AND BE HANDLED EXCLUSIVELY BY CAPTAIN STEWART.
- ③ NO LEGITIMATE EFFORT WAS EVER MADE BY CPT. STEWART OR ANY JAIL STAFF TO ALLOW YOUR AFFIANT ACCESS TO THIS EQUIPMENT AND DEFENSE MATERIALS TO WORK ON HIS DEFENSE.

Wendi K. Garcia
Notary Public, Bay County, Michigan
My Commission Expires 4/11/2023
Acting in the County of Bay

SUBSCRIBED AND SWORN TO BEFORE

YOUR AFFIANT.

THEODORE J VISNER

11-27-18
DATE

Wendi K. Garcia

NOTARY SIGNATURE 11/27/18

ON

DATE

AFFIDAVIT



MICHIGAN JUSTICE LIAISON
856 W. CODY STREET RD
PINCONNING, MI 48650
(989) 954-2814

AUGUST 30

DEAR CLERK OF THE 18th CIRCUIT COURT,

PLEASE FIND THESE INSTRUCTIONS HERE
ENCLOSED PLEASE FIND "DEFENDANT'S EMERGENCY
FOR RETURN OF PROPERTY SEIZED FROM DEFENDANT
BY POLICE IN THESE CASES" FOR THE PURPOSE OF
THIS DEFENDANT'S DEFENSE IN COURT CASES 17-11
17-10630, 17-10631, 17-10632 AND CASE 18-10533
SUPPORTED BY NOTARIZED SWORN AFFIDAVIT
NOTICE OF HEARING

PLEASE FILE ORIGINAL IN CIRCUIT COURT CASE
17-10629 AND COPY TO CASES 17-10630, 17-10631, 17-10632
AND PLEASE GIVE A COPY TO THE JUDGE HE
GILL, PROSECUTOR NANCY BORUSHKO AND BRUCE MANWIKKO.

IF YOU HAVE ANY QUESTIONS I CAN BE REACHED
UPSTAIRS IN THE BAY COUNTY JAIL, CELL BLOCK "S"
"SAM", NOT (S).

THANK YOU!
!!

THEODORE J. VISNER

8-30-18
DATE

PLEASE RETURN
ALSO RETURN ST
COURT FILE ME
COPY FOR TP

RECEIVED

SEP 04 2018

BY:

STATE OF MICHIGAN
18th CIRCUIT COURT

PEOPLE OF MICHIGAN
PLAINTIFF,

CASE NO: 17-
17-
17-1
17-

V.

HON; HARRY P. C

Theodore Joseph Visner
DEFENDANT,

HARRY P. GILL P26321
NANCY BURUSHKO P62575
BERNARD COPPOLINO P
1230 WASHINGTON, AVE
BAY CITY, MI 48708

TED VISNER
PRO PER
PRISONER 848
BAY COUNTY JAIL
503 3RD ST
BAY CITY, MI

DEFENDANT'S EMERGENCY MOTION FOR RETURN OF
PROPERTY STOLEN FROM DEFENDANT BY POLICE IN
THESE CASES FOR THE PURPOSE OF HINDERING
THIS DEFENDANT'S DEFENSE IN COURT CASES
17-10629, 17-10630, 17-10631, 17-10632 AND 18-11

THIS EMERGENCY MOTION IS ACCOMPANIED
BY A NOTARIZED SWORN AFFIDAVIT
IN SUPPORT AS ATTACHED EXHIBIT

NOW COMES DEFENDANT, MORE BATTERED AND ABU-
THAN EVER BEFORE, WRITING THIS MOTION ON PAPER
PURCHASED WITH JAIL FOOD ON DEFENDANT'S 23 DAY
CAPTIVITY WITHOUT A PRESENTMENT OF LEGITIMATE
CRIMINAL CHARGES


THIS COURT HAS ON MANY OCCASSIONS TALKED ABOUT ALL OF IT'S ADVANTAGES YET CONTINUES TO CREATE MORE AND MORE AS IF ALL OF YOUR STATED ADVANTAGES WERE NOT ENOUGH.

IN THIS CASE AND SCAGOLCO TO BE HEARD ON AUG. 13, 2018 WAS THIS DEFENDANT'S MOTION TO DISMISS FOR FAILURE TO STATE A CRIME THAT CAN BE PROSECUTED. ALLEGING THIS DEFENDANT DID "SOMETHING UNSPECIFIED" - "CONTRARY TO MCL", IS A SERIOUS MOTION! OBVIOUSLY! AS JUDGE GILL ORDERED HIS STAFF TO CANCEL THIS DEFENDANT'S MOTIONS HEARINGS, AS A CRIMINAL TRESPASS.

IF THIS DEFENDANT IS AT SUCH A DISADVANTAGE, WHY IS THIS COURT, IN COOPERATION WITH THE PROSECUTOR'S OFFICE - CHEATING WITH EVERYTHING!

IF THIS COURT AND THIS COUNTIES ELECTED PROSECUTOR CANT WIN WITHOUT CHEATING, AN "HONORABLE" JUDGE WOULD DISMISS WITH PREJUDICE INSTEAD OF SENDING COPS TO MY HOME TO BREAK MY GLASSES BLINDING ME AND STEALING MY DEFENSE COMPUTER.

Prepared By.


Theodore J. Visner

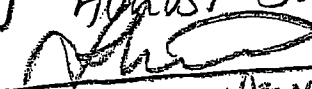
8-30-18
DATE

NOTICE OF HEARING

PLEASE TAKE NOTICE THAT AN EMERGENCY
MOTION HEARING HAS BEEN SET FOR THIS
CASE 18-10535-FY-TH ON SEPTEMBER 10, 2018
AT 11:30 PM WITH JUDGE TIMOTHY J KELLY
AT THE BAY COUNTY COURTHOUSE AT 1230
WASHINGTON AVENUE -- BAY CITY, MICHIGAN 48708.

PROOF OF SERVICE

I AVER UNDER PENALTY OF
PERJURY THAT THIS LEGAL
PLEADING DOCUMENT WAS
SERVED ON THE PARTIES
THROUGH DELIVERY IN PERSON
TO BAY COUNTY JAIL STAFF
ON AUGUST 30, 2018.

 8-30-18
THEODORE VISSER

AFFIDAVIT

EXHIBIT A

8-30-18

I THEODORE JOSEPH VISNER ATTEST TO THE TRUTH AND ACCURACY OF THE INFORMATION CONTAINED HEREIN UNDER PENALTY OF PERJURY.

- ① POLICE TOOK MY LAPTOP COMPUTER IN RAID ON OCT 11, 2017 ALONG WITH OTHER DIGITAL PROPERTY.
- ② JUDGE GILL ORDERED A COPY OF DIGITAL PROPERTY BE GIVEN YOUR AFFIANT MONTHS AGO AND THE PEOPLE FAILED OVER AND OVER AGAIN CLAIMING INCOMPETENCE.
- ③ AFFIANT, NOW REPRESENTING HIMSELF FOR 2 MONTHS OUT OF THE 10 MONTHS OF HIS PROSECUTION IS RAISED AGAIN ON AUGUST 8, 2018 AND HIS DEFENSE COMPUTER CONTAINING YOUR AFFIANT'S ENTIRE LEGAL DEFENSE IS TAKEN/STOLEN BY POLICE BY THE SAME INCOMPETENT POLICE THAT AFTER MONTHS OF WASTED DEFENDANT'S TIME FAILED TO MAKE A TRUE COPY OF THE DEFENDANT/AFFIANT'S DIGITAL PROPERTY, AS ORDERED.
- ④ YOUR AFFIANT IS AND HAS BEEN SIGNIFICANTLY PREJUDICED BY THE TAKING OF YOUR AFFIANT'S DIGITAL PROPERTY AND TECH HARDWARE ON ALL OF THESE DATES! SEPTEMBER 17, 2015, OCTOBER 11, 2017 AND AUGUST 8, 2018 WITH SPECIFIC PREJUDICE WITNESSED AS THE INTENT OF THE TAKING OF BOTH THE DIGITAL PROPERTY AND TECH HARDWARE.

THIS AFFIDAVIT, CREATED IN JAIL, IS MADE ON MY PERSONAL FIRSTHAND KNOWLEDGE AND, IF SWORN AS WITNESS, CAN TESTIFY COMPETENTLY TO THE FACTS STATED IN THIS AFFIDAVIT.

YOUR AFFIANT,

Theodore Joseph Visner

8-30-18
DATE

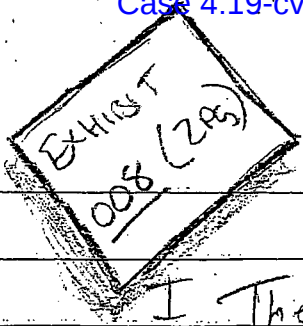
AFFIDAVIT

4 of 4

NOTARY

Wendi K. Garcia
Notary Public, Bay County, Michigan
My Commission Expires 4/11/2023
Acting in the County of Bay

Wendi K. Garcia
8/30/18

(NULL PROCEEDINGS
FAILED DISCOVERY)

AFFIDAVIT OF TRUTH

10-6-18

I Theodore J. Visner, ATTEST TO THE TRUTH
AND ACCURACY OF THE INFORMATION CONTAINED
HEREIN UNDER PENALTY OF PERJURY.

- ① AS THE NAMED DEFENDANT IN NULL PROCEEDINGS
KNOWN BY CASE FILE NOS: 17-10629, 17-10630,
17-10631 AND 17-10632, ANNOUNCE TO MAKE KNOWN
AND PERFECTLY CLEAR THAT AS OF THIS DATE -
OCTOBER 6, 2018 - YOUR AFFIANT - AFTER ELEVEN +
MONTHS OF MAUCIOUS PROSECUTION - HAS STILL NOT
RECEIVED COURT ORDERED DISCOVERY FROM
BERNARD COPPOLINO.
- ② AS THE PROSECUTION AND THE COURT KNOWS FULL
WELL THAT THE MOTIONS HEARING DATE SET FOR SEPTEMBER
12, 2018 WAS BASED ^{ENTIRELY} UPON YOUR AFFIANT HAVING THIS
COURT ORDERED DISCOVERY AND ADEQUATE TIME, AS
DEFINED BY AFFIANT/DEFENDANT, TO REVIEW IT,
- ③ IN ADDITION TO THE PROCEEDINGS BEING NULL
FOR FAILING TO PROPERLY CITE A LEGITIMATE CRIMINAL
STATUTE AS REQUIRED BY LAW AND COURT RULE,
THE SCHEDULING ORDER IS EQUALLY NULL FOR
FORCING MOTIONS HEARINGS UPON DEFENDANT WITHOUT
THE OPPORTUNITY FOR DISCOVERY.

PAGE 1 of 2


AFFIANT Pg 1 of 2

THIS AFFIDAVIT CREATED IN JAIL IS MADE ON
MY PERSONAL KNOWLEDGE AND, IF SWORN, CAN
AND WILL TESTIFY COMPETENTLY TO THE FACTS
STATED IN THIS AFFIDAVIT.

THIS AFFIDAVIT CAN ONLY BE REBUTED WITH
A SWORN AFFIDAVIT IN REBUTTAL, REBUTTING
EACH POINT - POINT BY POINT.

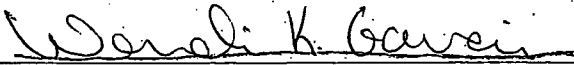
IT IS NOT YOUR AFFIANT'S JOB TO POINT OUT
HOW AND WHY THE PROSECUTION IS NOT IN
COMPLIANCE WITH THE COURT'S ORDER - ONLY
TO POINT OUT THAT IT IS NOT.

Your Affiant,


Theodore J. Visner

10-6-18
DATE

Wendi K. Garcia
Notary Public, Bay County, Michigan
My Commission Expires 4/11/2023
Acting in the County of Bay

 10/6/2018
NOTARY SIGNATURE / DATE

PAGE 2 OF 2

PAGE 2 of 2

EXHIBIT
009

AFFIDAVIT

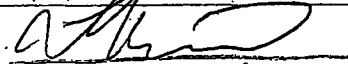
ORDERING
NON PARTY
PARTICIPATION

NOW COMES DEFENDANT IN PRO PER AS AFFIANT
IN THIS SWORN AFFIDAVIT AND STATES AS FOLLOWS, BEING
OF SOUND MIND AND COMPETANT TO TESTIFY TO THE
SAME UNDER OATH AND STATES THE FOLLOWING AS
FACT AND TRUTH;

① 18TH CIRCUIT COURT JUDGE HARRY P. GILL ORDERED HIS
COURT STAFF TO CANCEL YOUR AFFIANTS PROPERLY SET
AND NOTICED COURT HEARING DATES SET FOR AUGUST 6
AND AUGUST 13, 2018 WITHOUT DEFENDANT'S
CONSENT OR PERMISSION AS A PREJUDICIAL
TRESPASS AGAINST THEODORE VISNER IN CASES
17-10629, 10630, 10631 AND 10632-FH-HG FOR THE SPECIFIC
PURPOSE OF BEING A PREJUDICIAL TRESPASS AS
WELL AS THE CONSPIRED DEPRIVATION OF YOUR
AFFIANT'S DUE PROCESS RIGHTS UNDER COLOR
OF LAW,

② SIMILARLY THIS AFFIANT'S MOTION TO DISMISS ON
GROUNDS OF ENTRAPMENT KEPT GETTING CANCELLED
AND/OR ADJOURNED BY HARRY P. GILL AND/OR
HIS STAFF FOR VARIOUS REASONS ASSENT JUST
CAUSE, CAUSING AFFIANT'S LEGAL DEFENSE COSTS TO
SKYROCKET AND ULTIMATELY INTIMIDATED DEFENSE
COUNSEL TO QUIT.

YOUR AFFIANT,


THEODORE J. VISNER
11-27-18
DATE:

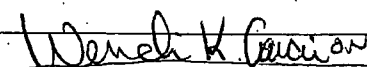
Wendi K. Garcia

Notary Public, Bay County, Michigan

My Commission Expires 4/11/2023

Acting in the County of Bay

SUBSCRIBED AND SWORN TO BEFORE

 ON 11/27/18
NOTARY SIGNATURE / DATE

AFFIDAVIT

Pg 1 of 1

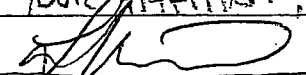
EXHIBIT
010 (2)

AFFIDAVIT

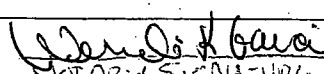
NOT
INDIGENT
TO DENY
DUE PROCESS

NOW COMES DEFENDANT IN PRO PER AFFIANT IN THIS SWORN AFFIDAVIT AND STATES AS FOLLOWS, BEING OF SOUND MIND AND COMPETANT TO TESTIFY TO THE SAME UNDER OATH AND STATES THE FOLLOWING AS FACT AND TRUTH:

- ① THE CIRCUIT COURT JUDGE HARRY P. GILL WOULD NOT ACCEPT YOUR AFFIANT'S EX PARTE AFFIDAVIT OR ANY OTHERWISE EXPLANATION THAT YOUR AFFIANT IS INDIGENT AND OTHERWISE UNABLE TO PAY FEES AND COSTS CONTRARY TO MCR 2.002(D) AND INSTEAD USED THE FACT THAT YOUR INDIGENT AFFIANT WAS NOT RECEIVING ANY FORM OF PUBLIC ASSISTANCE TO DENY THE SUSPENSION OF FEES AND COSTS CONTRARY TO THE FAIR AND COMMON INTERPRETATION OF MCR 2.002(C).
- ② THE ONLY WAY JUDGE GILL WOULD ACKNOWLEDGE YOUR AFFIANT'S INDIGENT STATUS AND ORDER FEES AND COSTS EITHER WAIVED OR SUSPENDED WAS IF YOUR AFFIANT SIGNED THE INDIGENCY FORM TIED TO A REQUEST FOR THE APPOINTMENT OF COUNSEL.
- ③ THE DENIAL OF INDIGENCY HAS RESULTED IN THIS AFFIANT'S ABILITY TO APPEAL MATTERS AS OF RIGHT AND IS THE DENIAL AND DEPRIVATION OF DUE PROCESS IN CASES 17-10629, 17-10630, 17-10631 AND 17-10632-FH-HG. CALL BY REF AFFIDAVIT OF INDIGENCY BY STATE DEPRESSION IN FILE.

YOUR AFFIANT,

THEODORE J. VISNER

11-27-18
DATE:

Wendi K. Garcia
Notary Public, Bay County, Michigan
My Commission Expires 4/11/2023
Acting in the County of Bay
SUBSCRIBED AND SWORN TO BEFORE
 ON 11/27/18
NOTARY SIGNATURE / DATE

AFFIDAVIT p. 1 of 1

011 (1 PM)

AFFIDAVIT

WEAPONIZED
COURT PROCESS

NOW COMES DEFENDANT IN PROPER AS AFFIANT FOR THIS SWORN AFFIDAVIT AND STATES AS FOLLOWS, BEING OF SOUND MIND AND COMPETANT TO TESTIFY TO THE SAME UNDER OATH AND STATES AS FOLLOWS:

- ① THE 74th DISTRICT COURT AND 18th CIRCUIT COURT HAVE WEAPONIZED COURT PROCESS AGAINST THIS AFFIANT IN CASE NUMBERS 17-10629, 17-10630, 17-10631, 17-10631F1 AND 18-10535-F1 AS VISABLE AND VERIFYABLE THROUGHOUT THE 12+ MONTHS OF AFFIANT'S PROSECUTION.
- ② AFFIANT'S RIGHT TO A FAIR AND SPEEDY TRIAL HAVE BEEN TAKEN FROM AFFIANT THEODORE J. VISNER BY THE 18th CIRCUIT COURT IN BAY CITY, MICHIGAN WHERE ALL DELAYS WERE CAUSED BY PROSECUTION'S FAILURE AND REFUSAL TO COMPLY WITH COURT'S ORDERS TO PRODUCE DISCOVERY AND DEFENSE MATERIALS AND DEFEND'S PROOFS.


YOUR AFFIANT,


Theodore Joseph Visner

11-22-18
DATE

Wendi K. Garcia
Notary Public Bay County, Michigan
My Commission Expires 4/11/2023
Acting in the County of Bay

SUBSCRIBED AND SWORN TO Before


NOTARY SIGNATURE

Aff

Affiant Pa 1 of 1

ON 11/22/18
DATE

EXHIBIT
012 (1P)

AFFIDAVIT

JAIL ADMIN DEFIES
COURT ORDERS

NOW COMES DEFENDANT IN PRO PER AS AFFIANT FOR THIS SWORN AFFIDAVIT AND STATES AS FOLLOWS, BEING OF SOUND MIND AND COMPETANT TO TESTIFY TO THE SAME UNDER OATH AND STATES AS FOLLOWS;

① BAY COUNTY JAIL ADMINISTRATION INTENTIONALLY DISREGARDED COURT ORDERS TO ALLOW THEODORE VISNER ACCESS TO TWO LAPTOP COMPUTERS AND OTHER DIGITAL ELECTRONIC EQUIPMENT TO SPECIFICALLY PROHIBIT VISNER FROM BEING ABLE TO DEFEND HIMSELF IN COURT IN CASES 17-10629, 17-10630, 17-10631 AND 17-10632-FH-HG + 18-10535-FY ^{AND CIVIL} _{FORFEITURE CASES.}

② BAY COUNTY JAIL ADMINISTRATOR REFERRED TO ABOVE IS CAPTAIN TROY STEWART.

③ COURT ORDER IGNORED INTENTIONALLY BY CAPTAIN TROY STEWART ATTACHED AS EXHIBIT A DATED SEPTEMBER 27, 2018

YOUR AFFIANT,



11-22-18

THEODORE JOSEPH VISNER

DATE

Wendi K. Garcia
Notary Public, Bay County, Michigan
My Commission Expires 4/11/2023
Acting in the County of Bay

SUBSCRIBED AND SWORN TO BEFORE

Wendi K. Garcia

NOTARY SIGNATURE

ON 11/22/18

DATE

AFFIDAVIT Pg 1 of 1

MICHIGAN JUSTICE LEAGUE

856 W. CODY ESTEY RD
 INCONNUM, MICHIGAN 48650
 (989) 954-2814

(EXHIBIT A)

OCTOBER 2, 2018

TO: JUDGE GILL & STAFF

AT THE LAST HEARING, JUDGE GILL ASKED WHAT THINGS WERE "LOST OR MISSING". WHILE I AM STILL WORKING TO PUT TOGETHER A COMPLETE LIST, HERE IS A PARTIAL LIST. COPY THIS TO WHOM EVER YOU PLEASE. I GUESS, THE JAIL HAS SUSPENDED MY ABILITY TO COPY MY LEGAL DOCUMENTS AT THE JAIL CREATING ANOTHER DISTINCT ADVANTAGE FOR THE PROSECUTION AT GREAT AND DESIGNED PREJUDICE TO THE DEFENDANT. LIST OF THINGS BELIEVED LOST OR MISSING AFTER JUDGE GILL STARTED DICTATING HOW MY DEFENSE WILL BE HANDLED, IN NO PARTICULAR ORDER.

○ Δ'S ^{WRITTEN} MOTION & ORDER TO ADJOURN PRESENTED SEPT 12, 2018 - STARTED TO HEAR DIDN'T FINISH.

○ Δ'S PRELIMINARY WITNESS LIST, SUBPOENA REQUEST

○ Δ'S NOTICE TO JUDGE ABOUT MY VISION.

○ Δ'S DEMAND TO RESOLVE JUDGE GILL'S CLAIM THAT HE COULDN'T READ ANYTHING PRESENTED TO THE COURT THAT WAS HAND WRITTEN BY Δ.

○ PETITION TO THE COURT FOR JUDGE'S DISQUALIFICATION. MCR 2.003 WITH COMPLETE LIST OF REASONS SPANNING 11 MONTHS.

○ NOTICE OF OBJECTION TO PROPOSED ORDER TIMELY FILED BY Δ.

○ OTHERS -

NOTICE - O PROSECUTOR DOESN'T FOLLOW YOUR ORDERS - WHY WOULD THE JAIL?

PREPARED BY,



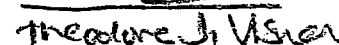
Theodore J. Visser

"EXHIBIT A"

OCT 2, 2018
 DATE

PROOF OF SERVICE

I ATTEST UNDER PENALTY OF PERJURY THAT I DELIVERED THIS DIRECTLY TO C/O JEAN, AT THE JAIL ON OCT 2, 2018 @ 12:55 PM


 Theodore J. Visser

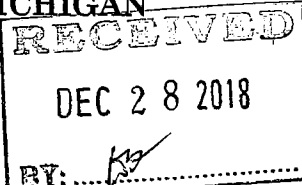
**STATE OF MICHIGAN
THE 18th CIRCUIT COURT - BAY COUNTY**

PEOPLE OF THE STATE OF MICHIGAN

V.

THEODORE JOSEPH VISNER,

Defendant.



HON. HARRY P. GILL
17-10630-FH
17-10631-FH
17-10632-FH

BERNARD J. COPPOLINO (P33577)
Bay County Assistant Prosecutor
1230 Washington, Suite 768
Bay City, MI 48708
989-895-4185

THEODORE JOSEPH VISNER
In Proper Persona
MDOC #526348
3855 Cooper St.
Jackson, MI 49201-7547

**THE PEOPLE'S ANSWER TO
DEFENDANT'S EMERGENCY MOTION FOR BAIL BETWEEN
TRIAL COURT JUDGMENT AND DECISION OF APPELLATE COURT**

NOW COME the People of the State of Michigan, by BERNARD J. COPPOLINO, Bay County Assistant Prosecutor, and answers Defendant's Emergency Motion for Bail between Trial Court Judgment and Decision of Appellate Court as follows:

1. Defendant has filed an Emergency Motion for Bail between Trial Court Judgment and Decision of Appellate Court, which was received by the People on December 19, 2018 – the date that Defendant was transported out of the Bay County Jail and into the custody of the Michigan Department of Corrections.
2. Motions such as this one are governed by MCLA 770.8 which states:

“During the time between the trial court judgment and the decision of the court to which an appeal is taken, the trial judge may admit the defendant to bail, if the offense charged is bailable and if the offense is not an assaultive crime as defined in section 9a of this chapter.”

The leading case interpreting this statute is *People v Giacalone*, 16 Mich^{2d} App 352 (1969), where the Michigan Court of Appeals held:

“In passing upon an application for bail on appeal we consider the following factors:

1. The likelihood that the defendant will appear when required in response to the order of the Court. In that connection we consider the defendant's ties to the community, the seriousness of the offense and the length of the term for which he has been sentenced.

STATE OF MICHIGAN
COUNTY OF BAY
ATTESTED
CYNTHIA A. LUCZAK
CLERK OF CIRCUIT COURT
A TRUE COPY
H. P. Gill
Deputy

2. The potential of harm to the community in the defendant being at large during the pendency of the appeal. We consider the defendant's past conviction record in assessing the likelihood of his committing another offense if released. We also consider the pendency of other untried charges against the defendant. However, bail will not be denied on appeal 'merely because of the community's sentiment against the accused nor because of an evil reputation' or because of the pendency of other charges against the defendant-to do so would be in effect to deny bail on untried charges, which ordinarily cannot be done. The responsibility for fixing the amount of bail for an untried charge is vested in the trial judge to whom the defendant addresses his application for bail on that charge.

3. The substantiality of the grounds of appeal. Bond on appeal will be denied if the Court becomes convinced that the appeal is clearly without arguable merit and, thus, the appeal may well have been taken and the application for bail filed primarily for purposes of delay.

4. The risk to the proper administration of justice. Bail may be denied where to allow the defendant his liberty would impede the administration of justice." *Giacalone, supra*, 355-357 (footnotes omitted).

3. Looking at the *Giacalone* factors in order:

1. Defendant was convicted by jury of six counts of Delivery of Marijuana (MCL 333.7401(2)(d)(iii)) and six counts of Possession of Firearm during Commission of Felony (MCL 750.227b). Defendant is currently serving the (concurrent) mandatory two year prison sentences mandated as punishment for conviction under the second statute. He owns no property in Bay County, nor has any responsible person stepped forward to vouch for him.

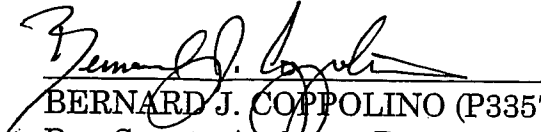
2. While on bond awaiting trial on these cases, Defendant was arrested for Possession with Intent to Deliver Marijuana, based upon conversations he had with an undercover law enforcement officer about providing marijuana to that officer and quantities of marijuana found at Defendant's residence via execution of search warrant. Defendant's activities there were a continuation of the criminal enterprise for which he was convicted in these cases.

3. The substantiality of the grounds of appeal is miniscule. Defendant was convicted on these twelve charges upon trial testimony that he provided marijuana to undercover officers for whom he was not a registered Michigan Medical Marijuana Act caregiver on six occasions, and that each time he was armed with a handgun. This testimony was not contradicted by any other trial testimony. Indeed, Defendant admitted as much in his Preliminary Examination testimony (PE, Vol I, pp 30-31, 40).

4. The People fail to see how Defendant serving his legislatively mandated sentence in these cases would impede the administration of justice

WHEREFORE, the People pray that this Court DENY Defendant's Emergency Motion for Bail between Trial Court Judgment and Decision of Appellate Court.

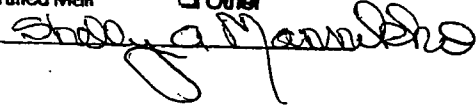
Dated: December 21, 2018


BERNARD J. COPPOLINO (P33577)
Bay County Assistant Prosecutor

PROOF OF SERVICE

That the undersigned certifies that the foregoing instrument was served upon all parties to the above cause to each of the attorneys of record herein at their respective addresses disclosed on the pleadings on 12-21 20 18

By: ☒ U.S. Mail ☐ FAX
☐ Hand Delivered ☐ Overnight Courier
☐ Certified Mail ☐ Other

Signature: 

STATE OF MICHIGAN
IN THE 18th CIRCUIT COURT FOR THE COUNTY OF BAY

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

vs

Case Nos. 17-10630-FH
17-10631-FH
17-10632-FH

THEODORE JOSEPH VISNER,
Defendant.

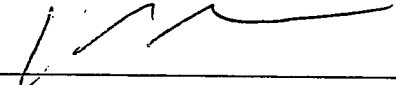
**ORDER DENYING DEFENDANT'S EMERGENCY
MOTION FOR BAIL BETWEEN TRIAL COURT
JUDGMENT AND DECISION OF APPELLATE COURT**

This matter comes before the Court upon Defendant's *Emergency Motion for Bail Between Trial Court Judgment and Decision of Appellate Court* filed December 19, 2018. The decision to grant bail pending appeal is within the Court's discretion. MCL 770.8. The Court has reviewed the motion and the applicable law and has determined that Defendant has not satisfied the criteria for release on an appeal bond. MCR 7.209; *People v Giacalone*, 16 Mich App 352; 167 NW2d 871 (1969).

Defendant's motion is DENIED.

IT IS SO ORDERED.

Dated: January 14, 2019



Hon. Harry P. Gill (P26321)
18th Circuit Court Judge

cc: Theodore Visner (#526348); RGC 3855 Cooper St.; Jackson, MI 49201-7547
Bay County Prosecutor
Bruce Mannikko, stand-by counsel

By Abigail C. Luczak Deputy

CLERK OF CIRCUIT COURT
CYRILIA A. LUCZAK

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STATE OF MICHIGAN
COUNTY OF BAY

AFFIDAVIT
ATTACHMENT / EXHIBIT

003

STATE OF MICHIGAN
IN THE 18th CIRCUIT COURT FOR THE COUNTY OF BAY

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

vs

Case Nos. 17-10629-FH
17-10630-FH
17-10631-FH
17-10632-FH

THEODORE JOSEPH VISNER,
Defendant.

ORDER DENYING DEFENDANT'S MOTION FOR RECONSIDERATION

This matter comes before the Court upon Defendant's *Formal Objection to Harry P. Gill's Sept. 12, 2018 Orders and Immediate Demand for Reconsideration of "Order U"* filed September 19, 2018. The motion concerns the Court's ruling that Defendant does not qualify as indigent because he has refused to disclose pertinent information to the determination such as income, assets, and/or expenses. The affidavit submitted by Defendant also does not state that he receives any form of public assistance. MCR 2.002. The Court has reviewed the motion and finds there is no basis for reconsideration. However, this does not preclude Defendant from submitting the appropriate information in order to establish his claim that he is indigent pursuant to the Michigan Court Rules.

Defendant's motion is DENIED.

IT IS SO ORDERED.

Dated: September 21, 2018



Hon. Harry P. Gill (P26321)
18th Circuit Court Judge

cc: Theodore Visner c/o Bay County Jail
Bay County Prosecutor
Bruce Mannikko, stand-by counsel

STATE OF MICHIGAN
COUNTY OF BAY
ATTESTED
A TRUE COPY
CYNTHIA A. LUCZAK
CLERK OF CIRCUIT COURT
By LM Leske Deputy

PROOF OF SERVICE

All parties were served a copy of this, DEFENDANT'S EMERGENCY MOTION
FOR BAIL BETWEEN TRIAL COURT JUDGMENT AND DECISION OF
APPELLATE COURT

on 12-13-18 ^{AFTER 8:00 PM} by US Postal Service or personal service at the address below.

INTER OFFICE JAIL DELIVERY
BY JAIL STAFF C/O MURPHY / SAM
to TO MANU KKO to 2
BERNARD J. COPPOLINO (P33577)
Bay County Assistant Prosecutor
1230 Washington, Suite 768
Bay City Michigan 48708
(989) 895-4185

By THEODORE J. VISNER
to
18th CIRCUIT
Bay County Circuit Court Clerk
1230 Washington, Suite 725
Bay City, MI 48708
3 sets, one for each file
1 set for Judge Gill

Prepared by



THEODORE JOSEPH VISNER
In Propria Persona
856 West Cody Estey Road
Pinconning, MI 48650
(989) 954-2814

12-13-18
DATE

PROOF OF SERVICE

The defendant named above was provided a
copy of this information on 12-19-2018

by: ☐ US Mail ☐ Fax
☒ Hand Delivered ☐ Overnight Courier
☐ Certified Mail ☐ Intra-Office

Signature: THEODORE J. VISNER

STATE OF MICHIGAN
IN THE 18th CIRCUIT COURT FOR THE COUNTY OF BAY

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

vs

Case Nos. 17-10630-FH
17-10631-FH
17-10632-FH

THEODORE JOSEPH VISNER,
Defendant.

_____/

ACKNOWLEDGMENT OF SERVICE

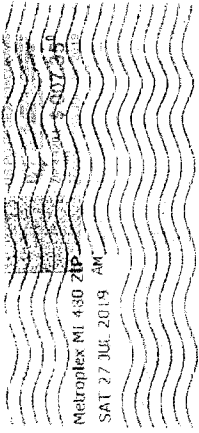
I acknowledge that I have received a copy of the *Order Denying Defendant's Emergency Motion for Bail Between Trial Court Judgment and Decision of Appellate Court*.

Dated: January 15, 2019

Theodore Visner

THEODORE J. VIGOR # 526348
PRISON CORRECTIONAL FACILITY
1780 EAST PARKWAY ROAD
JACKSON, MI 49201

RECEIVED
JUL 31 2019
CLERK'S OFFICE
U.S. DISTRICT COURT



7/27/19 R

US MAIL

UNITED STATES District Court
THEODORE LEVIN Courthouse
231 WEST LAFFETTE BLVD. RM 504
DETROIT, MICHIGAN 48226